City Council Workshop & Meeting
January 3, 2022
Agenda

5:30 P.M. City Council Workshop

A. Executive Session – Economic development, pursuant to 1 M.R.S.A. Sec. 405 (6) (C) (30 minutes)
B. Proposed Zone Changes – Eric Cousens (30 minutes)
C. Downtown Revitalization Plan – Jay Brenchick (20 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Whiting

Pledge of Allegiance

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

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

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

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

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

II. Minutes – December 20, 2021 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Swearing in Officer Logan Rossignol
- Planning Board reasons for recommendations for residential strips
- Communication – Mayor Appointments

- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Order 05-01032022
Directing staff to forward proposed zone changes to the Planning Board for consideration and review pursuant to Chapter 60, Article XVII Division 2 of City Ordinances.

2. Ordinance 01-01032022
Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Public hearing and first reading.

3. Ordinance 02-01032022
Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Public hearing and first reading.

4. Order 06-01032022
Amending the Board and Committee Appointment Policy as recommended by staff.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

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

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 05-01032022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Initiate the discussion of Zoning Considerations from 2021 Updated Comprehensive Plan

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Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. We do not have capacity to consider all the changes at once, but we plan an ambitious effort to have changes under consideration going forward. Below are four changes that staff suggests we start discussing by having the Council initiate their consideration pursuant to Chapter 60, Article XVII Division 2 of City Ordinances. Initiation of these discussions will direct staff to draft the amendments and forward them to the Planning Board for a public Hearing and recommendation back to the Council on how to proceed.

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a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended. (See attached a.)

Proposed Zone Change:

COMMERCIAL DEVELOPMENT DISTRICT (CDD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic. The district will allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses **–** The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services

- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052. (See attached b.)

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective – To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the city. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update. The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi dwelling development with up to three stories (plus attic space), with multiple

commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited, and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

c. <u>Court Street/City Core of Urban Residential Area;</u> 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas. (See attached c.)

<u>TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)</u>

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

City Budgetary Impacts: Up to $5,000 in approved Comprehensive Plan Implementation funds for State Geologist/Soil Scientist/Site Evaluator and mapping consultation. The changes will result in new investment and create new taxable value.

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

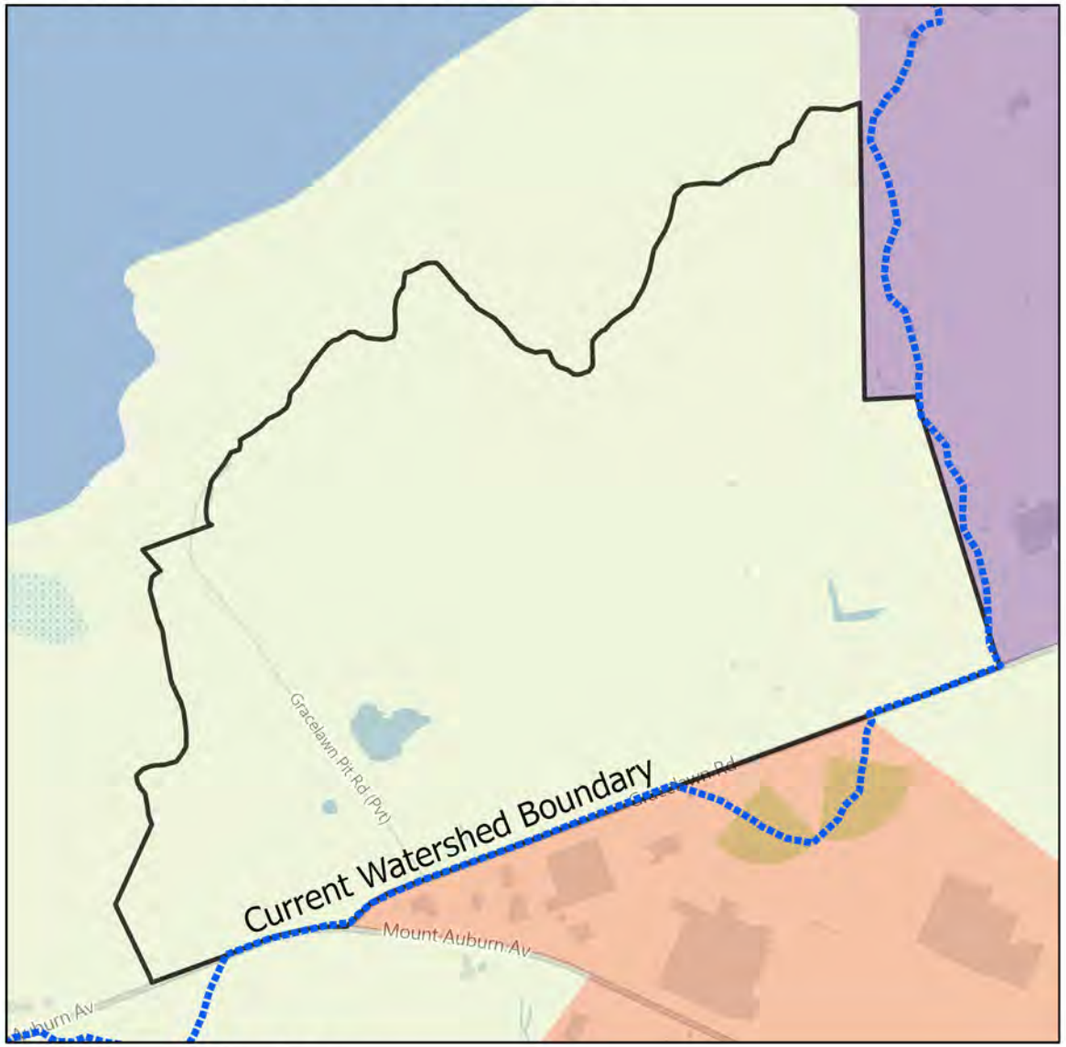
Previous Meetings and History: December 6th Council adoption.

City Manager Comments:

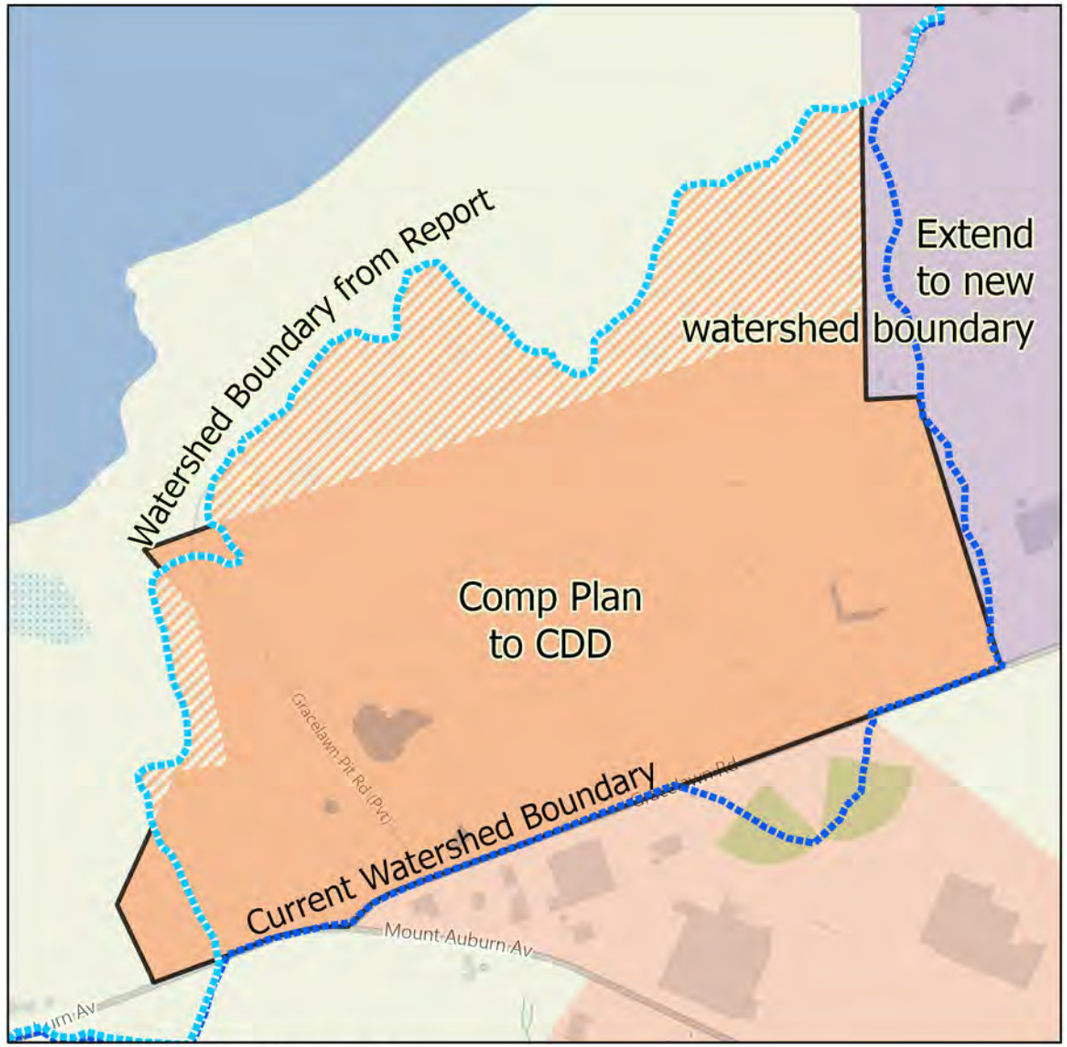
I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Lake Auburn Study Excerpts, full report here:
https://www.auburnmaine.gov/CMSContent/City_Manager/LakeAuburn_FinalReport%20UPDATED.pdf

Gracelawn: Exhibit A



Current Zoning



Proposed Change

Current Watershed Boundary
Watershed Boundary from Report

Recommended Zoning Updates
- Comp Plan to CDD
- Extend to new watershed boundary
- Change Area

Current Zoning
- AG - Agriculture and Resource Protection
- GB - General Business
- RR - Rural Residential
- SR - Suburban Residential

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3 Analysis of Environmental Impacts

This section analyzes the environmental impact of various development and water quality scenarios for the Lake Auburn watershed. The analysis uses a well-documented watershed model paired with in-lake empirical formulas to predict water quality outcomes under each future scenario. This section also reviews recreational threats and opportunities, current forestry practices, and LAWPC's land conservation strategy.

Photo Credit: Sun Journal

Water Quality Modeling

Boundary Change

Based on hydrogeologic studies (E.C. Jordan Co., 1990; Woodard & Curran, 1995; Summit Environmental Consultants, Inc., 2007) of the sand and gravel operations and former City of Auburn landfill along Gracelawn Road, a portion of the existing watershed area was determined to flow away from Lake Auburn in a southerly and easterly direction (Figure 3-1). Groundwater flow studies around the sand and gravel operations showed groundwater flowing south to an unnamed brook in a ravine just south of Mt. Auburn Avenue that flows to the Androscoggin River. Previous analyses of groundwater monitoring well data around the landfill showed low and diminishing levels of leachate indicators on the lakeside compared to increasing levels on the south side away from the lake. The combined properties with sand and gravel operations owned by CLH & Sons, Inc. and Get Er Done, LLC cover 115 acres in the southern portion of the Lake Auburn watershed and are bounded to the north by Lake Auburn and a LAWPC-owned parcel, to the east by a Central Maine Community College-owned parcel, to the south by Gracelawn Road, and to the west by a LAWPC-owned parcel. Based on review of the groundwater contours and 2-ft surface contours, the proposed watershed boundary reduces the watershed area by 148 acres, possibly reducing the original CEI, Inc. (2010) total phosphorus load to Lake Auburn by about 44 kg/yr.

Baseline Model Run

The baseline or "existing conditions" model run was performed using the revised version of the ArcView Generalized Watershed Loading Function (AVGWLF): MapWindow Version 4.6.602 and MapShed Version 1.5.1, available online through the Stroud Water Research Center's Wiki-Watershed. Following MapShed documentation, model files were prepared for input and processing to generate watershed nutrient loading estimates by sub-basin. These sub-basin nutrient loading estimates were run through a simplified version of the Lake Loading Response Model (LLRM) (AECOM, 2009) to account for sub-basin water and nutrient load attenuation, other water and/or nutrient sources such as atmospheric deposition, internal loading, and septic systems, and in-lake factors such as pan evaporation and annual withdrawal for drinking water. The net water and nutrient loads, along with calculated lake characteristics, were used in several well-known empirical formulas to estimate the in-lake total phosphorus concentration of Lake Auburn.

A summary of inputs and assumptions is provided below. Refer to supplemental model documentation for more detail (available through the City of Auburn).

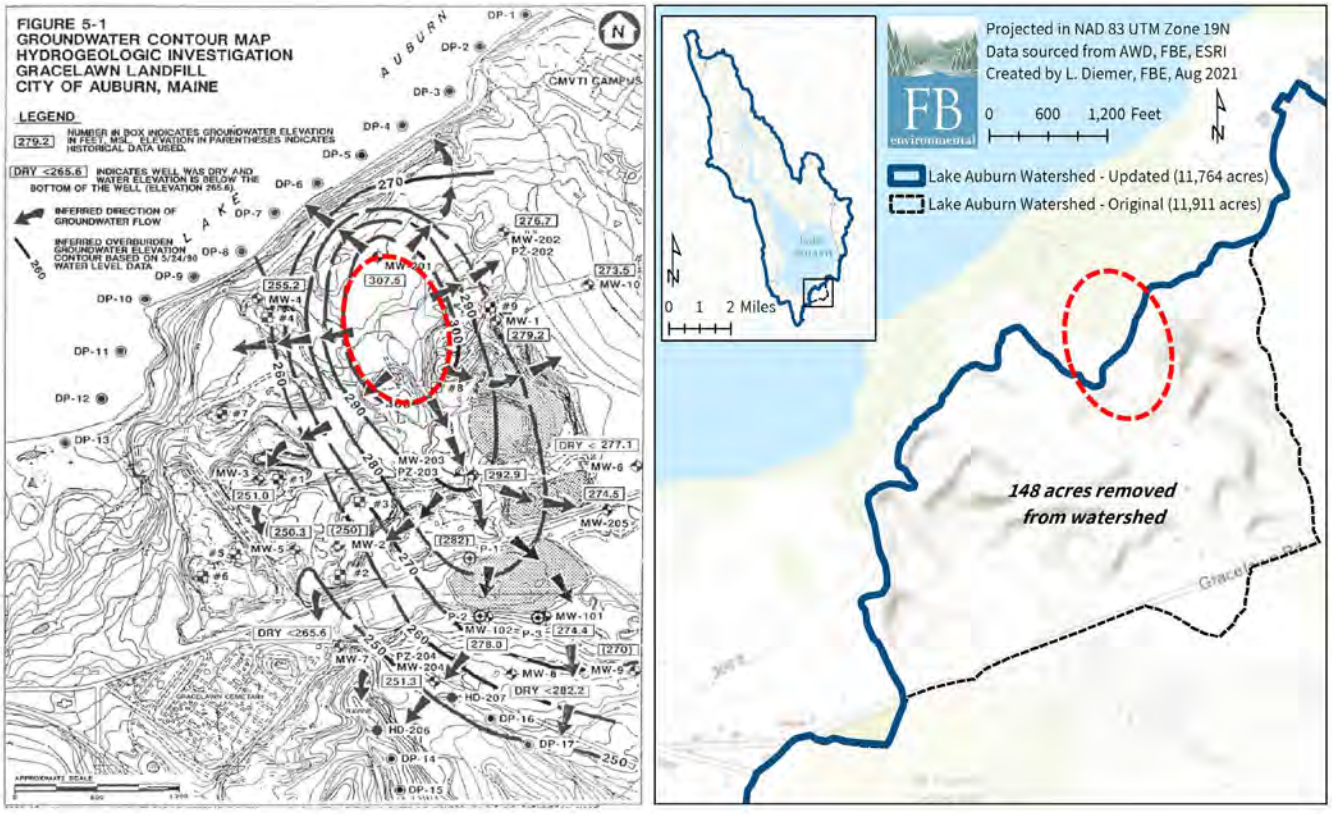
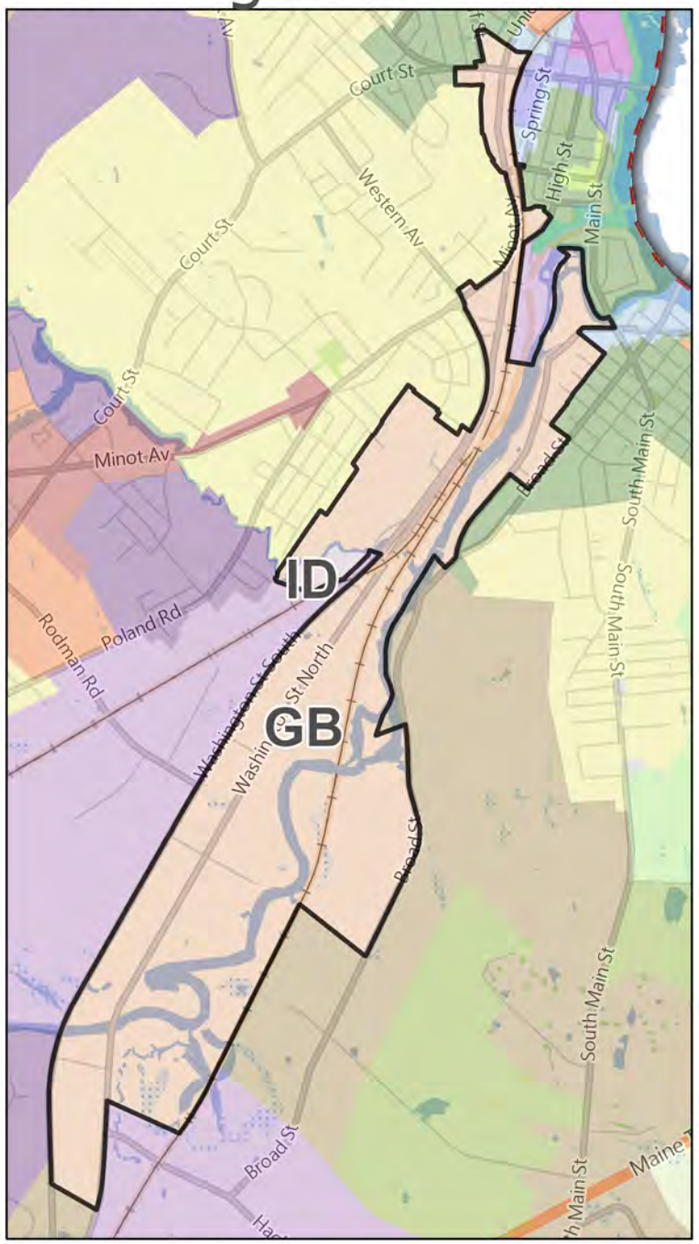


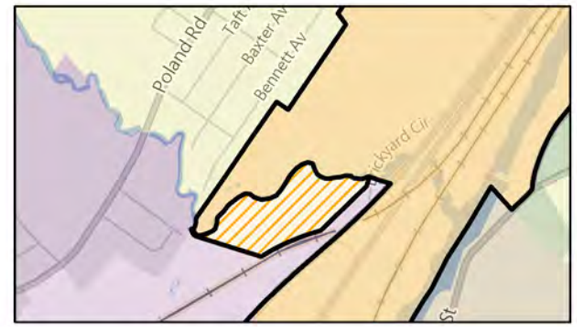
Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

Washington Street: Exhibit B



Current Zoning

Proposed Change



Add Parcel 199-052

Recommended Zoning Updates

- Comp Plan to CFBCGD-W
- Add Parcel 199-052

Current Zoning

- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LDCR - Low Density Country Residential
- MFS - Multi-Family Suburban
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

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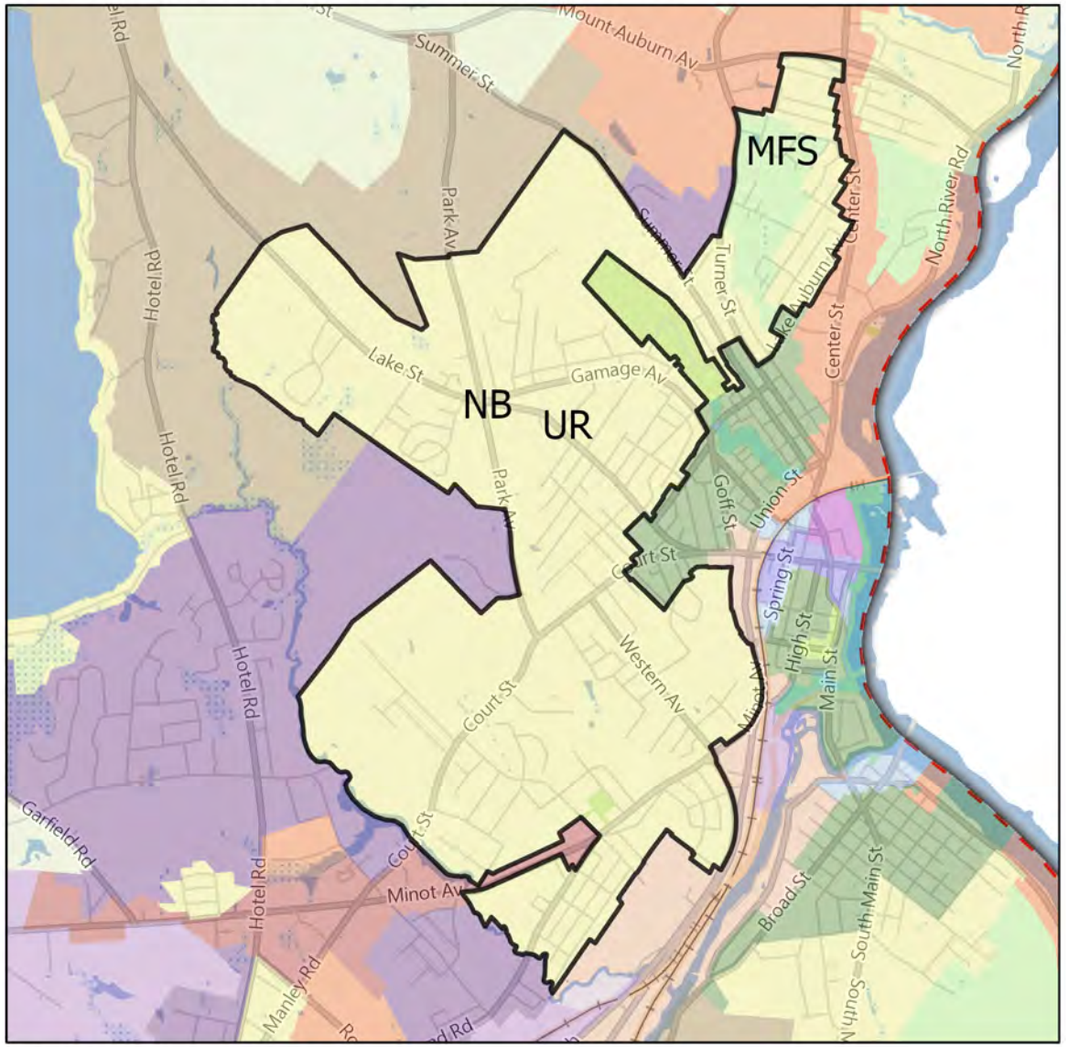
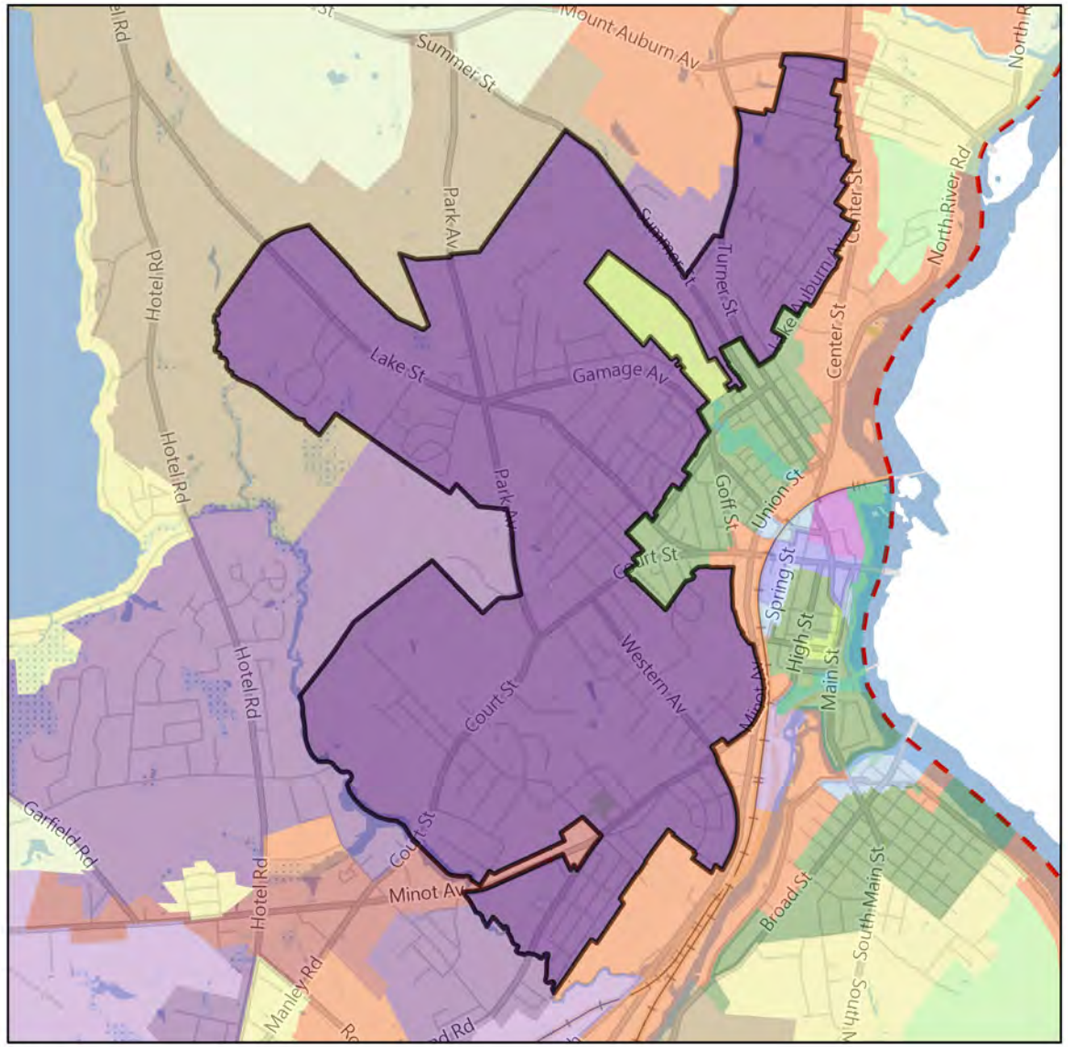
Court Street: Exhibit C



Current Zoning



Proposed Change

Recommended Zoning Updates

Description

- Comp Plan to TNDD
- <all other values>

Current Zoning

- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- MFS - Multi-Family Suburban
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

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5 Findings, Synthesis, & Holistic Recommendations

This section draws out key conclusions from the report's preceding Sections 2, 3, and 4 which contain our analyses of the regulatory, environmental, and economic impacts of Lake Auburn as a public drinking water supply. Synthesis and further discussion, along with consideration of examples from comparable water supplies, are also provided for several key conclusions that recur throughout the preceding sections. Lastly, this section puts forth holistic recommendations for the City of Auburn, as well as the broader community of stakeholders, with the aim of promoting water supply protection efforts and initiatives that preserve or improve the balance among regulatory, environmental, and economic impacts.

Photo Credit: Sun Journal

Key Findings

Section 2, Analysis of Regulatory Impacts

We found that the regulatory framework for the protection of Lake Auburn as a water supply can be revised to be more clearly defined, better aligned with the best available science and State and regional norms, and more fairly applied across different land uses and activities. Specific recommendations are described in depth in Section 2, and direct ordinance language revisions are provided in a separate document to the City. A summary of our recommended revisions is outlined below:

- Revise the septic system requirements of the Lake Auburn Watershed Overlay District Ordinance to incorporate the Maine Subsurface Wastewater Disposal Rules, including provisions that allow for mounded leach fields and other State-approved alternative designs where there is not a native, in-situ, 36-inch vertical separation between the bottom of the organic horizon and the bedrock, water table, or other restrictive layer. Refer to Appendix 1.
- Revise the Phosphorus Control Ordinance to clarify that the limit of a project area does not apply to a given land use but to a demarcated limit of disturbance, such that all disturbance within that area is required to meet the erosion and sedimentation controls and other phosphorus controls under a plan required by the Phosphorus Control Ordinance.
- Require timber harvest and agricultural activities to meet the same requirements as other land uses under the Phosphorus Control Ordinance. Currently, timber management and harvesting must be conducted in accordance with a forest management plan prepared and supervised by a registered forester, while agriculture must be conducted in accordance with a soil and water conservation plan approved by the ACSWCD, making these uses effectively exempt from City oversight. Removing the exemption and requiring timber and agriculture to meet the same erosion control standards under the Phosphorus Control Ordinance would ensure that water quality protection is a central feature of any timber harvesting or agricultural activities in the Lake Auburn watershed.
- Develop a clear set of standards for farm management that will be consistently applied to farms in the watershed for the purpose of controlling erosion and limiting the delivery of excess phosphorus from the farm practices to Lake Auburn. One approach is to set a concrete limit on the amount of agricultural activities that are phosphorus-intensive (e.g., commercial raising of livestock, fertilized row crops, manure spreading). It is important to note that water quality is predicted to be much worse across all future scenarios if agricultural land use does not decline as predicted.
- Adjust the agricultural buffer strip requirement in the Lake Auburn Watershed Overlay District Ordinance to improve its effectiveness. Recommended adjustments include widening the buffer to 75 or 100 feet, requiring the buffer to be vegetated, and requiring the buffer to be located downgradient of all agricultural activities, perpendicular to the direction of overland flow, in all areas of the watershed (as opposed to requiring buffers only for agricultural activities that are adjacent to surface water).
- Update the Lake Auburn Watershed Overlay District Ordinance to reflect the revised watershed boundary, reducing the existing watershed boundary by 148 acres in the Gracelawn Road area.
- Incorporate low impact development requirements for single family residential development on the 1- and 3-acre lots allowed in the Lake Auburn watershed by way of referencing the Maine Stormwater Management Design Manual, Volume 2. The use of low impact development can help to limit the impacts of stormwater runoff and associated erosion and pollutants from sites. The standards as they apply to a water supply watershed are presented below:
  - » Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, and grading).
  - » A minimum natural vegetated buffer must be maintained downgradient of all developed areas on the lot. This buffer shall be 50 feet wide if naturally forested or 75 feet wide if maintained as a natural meadow.
  - » No more than 7,500 square feet of impervious cover is located on the property.
  - » A minimum of 40 percent of the lot area must be maintained as an undisturbed natural area. If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.

Section 3, Analysis of Environmental Impacts

We found that Lake Auburn water quality in the last decade had reached a tipping point, whereby nuisance algae blooms were becoming more frequent and were threatening the filtration waiver. The partial alum treatment conducted in 2019 significantly reduced the

in-column total phosphorus concentration and locked in a portion of the sediment-bound phosphorus, effectively resetting the system and giving the water districts additional time to ramp up watershed protection and nutrient reduction efforts. We also found that projecting current status quo conditions into the future (i.e., the "Business As Usual" scenario) resulted in Lake Auburn once again reaching a tipping point by 2100, even with the assumption that the in-column total phosphorus concentration and sediment-bound phosphorus would be repeatedly reset by an alum treatment every 10 years (see discussion in Section 2 about this assumption for further context). Modeled predictions for the other future scenarios where the regulatory framework is adjusted to allow more development in the Auburn portion of the watershed results in greater water quality degradation and a higher risk of blooms, ultimately triggering the need for a filtration plant in the "Maximum Development Allowing Building on LAWPC Lands" scenario. The use of low impact development techniques has a small positive effect on water quality in these future scenarios but does not ameliorate the high risk of frequent algae blooms. Taken together, the future scenarios show that Auburn alone does not have the land use control tools to stave off water quality decline in Lake Auburn; sustained collaboration with the upper watershed municipalities is essential to achieve the needed phosphorus load reductions over the remainder of the 21st century.

Section 4, Analysis of Economic Impacts

We found that expanding development in the Lake Auburn watershed provided minimal overall net economic benefit when accounting for the benefits and costs of all affected stakeholders, including the City of Lewiston who would otherwise carry the additional costs of watershed protection and water treatment through the existing cost sharing agreement in order for the City of Auburn to benefit from increased property tax revenues. In other words, the increased net benefits to the City of Auburn would be mostly or entirely offset by increased net costs to AWD and LWD customers, resulting in negligible net economic benefit to the communities served by Lake Auburn. This reallocation of benefits and costs among all affected stakeholders for the future scenarios highlights important questions of equity and fairness, which were raised during the process of producing this report and conversing with key community representatives. We emphasize that the costs associated with addressing declining water quality are costs to all water users and that the risk of incurred costs that are higher than our conservative estimates is very real.

Synthesis & Discussion

In summary, our analyses determined that Lake Auburn is nearing its assimilative capacity for nutrient load (even with the partial alum treatment) and cannot handle much more additional nutrient load without diminishing water quality and its associated benefits. We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed. Instead, we recommend that low impact development strategies are incorporated into existing zoning standards and required for all future development and redevelopment projects in the Auburn portion of the watershed. We also recommend that the other four headwater towns of Turner, Minot, Hebron, and Buckfield also incorporate low impact development requirements on future development projects. Lake Auburn cannot maintain excellent water quality in the future without the full participation of the other watershed towns. More development cannot be allowed in the Auburn portion of the watershed even with low impact development requirements implemented in Auburn. Even if reduced development through conservation or other means is achieved in the headwater towns, any additional development in Auburn has an outsized negative impact since its drainage area goes directly to the lake. It is also important to understand that a filtration plant does not allow for greater development of the watershed because the filtration plant only treats extracted drinking water for the consumer and does not treat in-lake water quality for recreation and for meeting State criteria for designated uses.

> We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed.

Below, we present further discussion on three important topics: regulation of septic systems, environmental risk and uncertainty, and comparable water utilities.

Regulation of septic systems: The regulatory and environmental analyses examined multiple issues surrounding septic systems and their contributions of phosphorus to Lake Auburn. At first glance, there may appear to be a contradiction between 1) the recommended ordinance revision from the regulatory analysis (Section 2) that the septic design standard should be revised in such a way that will allow previously non-buildable sites to become buildable and 2) the conclusion from the environmental analysis (Section 3) that Lake Auburn will arrive at a tipping point of declining water quality by 2100 even in the absence of any pro-development changes (i.e.,

the "Business As Usual" scenario). Indeed, our buildout analysis determined that more than 100 additional new homes could be built in the watershed if the septic system siting requirement for 36 inches of suitable in-situ soil were revised.

To address this apparent contradiction, we argue that the septic design standard should be judged not only by its adherence to the best available science but by its simplicity, straightforwardness, and fairness. The key questions are: does the existing septic design standard accomplish its stated purpose of regulating septic systems effectively for water quality protection, or is its water quality benefit primarily in its de facto restriction of buildable areas in the watershed? Are there improvements that could be made to achieve the stated goal? With our recommended revision, we aim to have the septic design standard achieve its stated purpose of effectively regulating both new septic system construction and replacement/reconstruction of existing septic systems as they age out, so that septic systems with alternative technologies and innovative phosphorus controls can be phased in. Restrictions on developable land are better left to base and resource protection zoning than to septic design standards.

The project team also noted in conversations with multiple Lake Auburn stakeholders a concern about an unintended consequence of the requirement in the current ordinance for 36 inches of suitable in-situ soil to site a septic system. The concern is that this requirement for deep, native soils has led to the preferential siting of some septic systems on deep formations of sand and gravel aquifer, which provide some of the only suitable sites in the watershed with the requisite depth to bedrock, water table, or other restrictive layer. While our team did not conduct any field assessments, witness this condition firsthand, or review any documentation of this condition, we agree with the premise that these sand and gravel formations should not be considered suitable sites for septic systems, at least without the importation of suitable reactive soils for nutrient and pathogen processing that the recommended ordinance revisions would allow. Adopting the Maine State standards while preserving the minimum 36-inch vertical separation would alleviate the potential for this unintended consequence.

Environmental risk and uncertainty: The risk of deteriorating water quality threatening Lake Auburn's ability to remain a high quality public drinking water supply is a throughline of this entire study. In its simplest terms, risk is the probability of a negative outcome, though the severity of the negative outcome in question is usually included when evaluating that risk. A high risk of a minor inconvenience (e.g., the risk of getting caught in traffic if leaving downtown Boston by car at 5:00 PM on a business day) requires minimal forethought, while a low risk of major damage (e.g., the risk of a flood destroying private or public infrastructure from a hurricane or Nor'easter) requires extensive planning and preparation. Uncertainty is the degree to which the risk cannot be quantified, due to a number of factors, such as insufficient data about existing conditions, insufficient predictive models for the future, and inherent randomness in nature. It is difficult but possible to predict with reasonably low uncertainty the risk of an outcome that has occurred before (e.g., an algae bloom in Lake Auburn). It gets much more difficult to predict the risk of a particular outcome (e.g., a filtration waiver violation in Lake Auburn) if that outcome has never occurred before, because the data and predictive models have not been tested against that outcome in the real world. In this situation, the uncertainty surrounding such an outcome remains relatively high even with excellent data and predictive models.

This study examined Lake Auburn's risk of negative water quality outcomes now and in the future under various scenarios, though with considerable uncertainty due to a number of confounding or unknown factors. However, we can say with certainty that all additional development raises the risk of water quality degradation, whether due to phosphorus loading, pathogens from subsurface wastewater disposal, emerging contaminants such as pharmaceuticals and personal care products, etc. Even if the increased risk resulting from any individual parcel-scale decision is small, the aggregate impact of thousands of individual decisions over the coming decades is what matters.

From a risk management perspective, the entire spectrum of outcomes should at least be understood, including the least probable, most negative outcome (i.e., the worst-case scenario). The worst-case scenario would be that Lake Auburn's water quality would deteriorate past the point of useful public drinking water supply. Phosphorus enrichment to the point of having uncontrolled algae blooms every year, with cyanobacteria and associated cyanotoxins, would be the most likely condition of such a worst-case scenario. If this unlikely but highly undesirable scenario were to occur, Auburn and Lewiston would be forced to consider other alternatives that previously would not have been seriously deliberated, such as drawing upon the Androscoggin River for drinking water. The cost of this worst-case scenario was not evaluated in our economic analysis because our environmental models do not predict conditions to deteriorate to that degree under the chosen scenarios. But in managing environmental risk, this unlikely but highly undesirable outcome should be included in the overall picture of Lake Auburn's possible future.

Comparable water utilities: Comparison of Lake Auburn and LAWPC/AWD/LWD with other water sources and utilities is illustrative of their strengths, weaknesses, and projected future needs (Table 5-1). Lake Auburn's key

Table 5-1. Lake Auburn and comparable water supply lakes and ponds in Maine.

Waterbody	Water Utility	Waterbody Surface Area (acres)	Watershed Area (acres)	Communities Served	Watershed Communities	Filtration Waiver?
Lake Auburn	Auburn Water District	2,277	9,651	Auburn, Lewiston, Poland	Auburn, Turner, Minot, Hebron, Buckfield	Yes
China Lake	Kennebec Water District	3,939	16,704	Waterville, Winslow, Fairfield, Benton, Vassalboro, Maine Water Company - Oakland	Vassalboro, China, Albion	No
Sebago Lake	Portland Water District	29,992	234,000	Portland, South Portland, Westbrook, Falmouth, Cumberland, Cape Elizabeth, Gorham, Windham, Scarborough, Raymond	24 municipalities (Androscoggin, Cumberland, Oxford counties)	Yes
Floods Pond	Bangor Water	635	4,600	Bangor, Eddington, Hampden, Hermon, Orrington, Clifton, Veazie, Hampden Water District	Otis, Clifton	Yes

comparables are China Lake, which supplies the Kennebec Water District (KWD) serving Waterville and surrounding communities; Sebago Lake, supplying the Portland Water District (PWD); and Floods Pond, used by Bangor Water, an independent water utility, to serve Bangor and surrounding communities.

China Lake is nearly double the size of Lake Auburn, with a 3,939-acre lake surface and a nearly 17,000-acre watershed, but the lake divides into two basins nearly equal in size, the west basin and the east basin. The KWD has a water supply in-take located in the west basin, where the shoreline is mostly under KWD control and managed as water supply protection land. The east basin is nearly all under private ownership and has much more shoreline development. The China Lake Outlet Stream, the only outlet of the entire lake, is in the west basin at the dam in Vassalboro. Considered by itself, the west basin is very similar to Lake Auburn in terms of shoreline and watershed management - mostly forested, under public water utility control, with universal restrictions on swimming and bodily contact but with limited recreational fishing allowed. Like Lake Auburn, China Lake serves one community within the lake watershed (Vassalboro) and several communities outside its watershed (Waterville, Winslow, Fairfield, Benton, and the Maine Water Company in Oakland), while the upper watershed towns of China and Albion do not use KWD water.

The key difference between China Lake and Lake Auburn is that China Lake has experienced algae blooms nearly every summer since the 1980s. Blooms were more severe through the 1980s and 1990s, and since the early 2000s, there have been some trends of improvement, including coldwater fish species survival. Since 1993, KWD has filtered the drinking water supply using a granular activated carbon filtration system capable of producing up to 12 MGD, though current demand stands at 3 MGD. The plant was constructed in the early 1990s for a cost of roughly $25 million. According to KWD Superintendent Roger Crouse, P.E., if water quality were to decline significantly from its current stable state, such as increased algae blooms and turbidity, KWD would have to change their operations to handle the lower quality in-take water (R. Crouse, pers. comm). The carbon filters would need to be backwashed more frequently, and the additional backwash water would need to be accommodated somehow in the existing lagoons or else the lagoons would need to be expanded at significant cost. The alum dose used to pretreat the water before filtration would also need to be raised. The key takeaway is that decreased in-take water quality at a filtration plant taxes the system, raises the volume of the waste stream, and adds significant cost and complexity to the treatment process, meaning that water supply managers cannot forgo water quality protection efforts simply because a filtration system is in place.

Sebago Lake is the public drinking water supply source used by the PWD to supply Portland, South Portland, Westbrook, and surrounding Greater Portland communities - roughly one sixth of Maine's population. The lake is roughly 10 times the size of Lake Auburn, with a surface area of nearly 30,000 acres and a watershed area of 235,000 acres. Sebago is the deepest lake in New England at 316 feet at its deepest point. Like Lake Auburn, Sebago Lake qualifies for a filtration waiver owing to a history of excellent water quality. The existing disinfection plant has a production capacity of 54 MGD and currently experiences a demand of 22 MGD. With such a large water supply lake, the capacity of the plant will be exceeded long before any concern of safe yield from the lake arises.

Land use in the Sebago Lake watershed is largely composed of private forestlands. The PWD owns 2,500 acres (or about 1% of the watershed), with 800 acres of mostly shoreland designated as 'No Trespassing' and 1,700 acres of land designated as free for public access for many forms of recreation. Another 28,000 acres are owned or

managed by land trusts. The water supply in-take is at the far southern extent of the lake in the Lower Bay. A 3,000-foot 'No Trespassing' zone surrounds the in-take, and no bodily contact is allowed within two miles of the in-take. Boating, fishing, snowmobiling, and ice fishing are allowed within the 2-mile limit but not within the 3,000-foot limit. Overall, the restricted area is very similar in size and structure to that of Lake Auburn (with the exception that the on-ice activities are not allowed on Lake Auburn). Taking Sebago Lake as a whole, however, the major difference with Lake Auburn is that Sebago's Lower Bay comprises a small fraction of the overall lake, the rest of which has no special swimming or boating restrictions for water supply.

Sebago Lake and its watershed are located many miles away from the service areas of the PWD. This geographical separation means that the communities served by PWD have no ability to enact land use controls on the lakeshore or in the watershed, unlike the situation in Lake Auburn where the City of Auburn can use its zoning ordinances to enact protections for the shorefront and watershed. It is likely that this lack of control over Sebago Lake's upper watershed has spurred the PWD to focus on cooperation with land trusts and private forestland owners to conserve tracts of land. As an example, PWD Environmental Services Manager Paul Hunt told the project team that the PWD is part of a partnership, Sebago Clean Waters, that seeks to raise the total amount of land conserved (and managed at least partly for water supply protection) from the current 12% of the watershed to 25% in the next 15 years (P. Hunt, pers. comm).

In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Floods Pond in Otis, Maine has been the public water supply source for Bangor Water, the independent water district that serves Bangor and surrounding communities since 1959. At 635 acres of surface area, surrounded by a 4,600-acre watershed in Otis and neighboring Clifton, Floods Pond is less than half the size of Lake Auburn. Maximum depth is similar at 133 feet. Like Lake Auburn, Floods Pond also qualifies for a filtration waiver owing to its historically excellent water quality.

Land use in the Floods Pond watershed is largely controlled by Bangor Water, which owns or holds landowner agreements to manage 4,500 acres or more than 99% of the watershed land area. There is no public access to Floods Pond, which is home to a native population of Arctic char (Salvelinus alpinus), a coldwater fish species closely related to both salmon and lake trout that has been used by the Maine Department of Inland Fisheries and Wildlife to establish coldwater fish populations in other Maine lakes. Fishing, boating, and swimming are prohibited, as are hiking, wildlife viewing, and hunting in posted areas that include the entire shoreline.

The geography of Floods Pond as a water supply resembles China Lake more than Lake Auburn. The vast majority of Bangor Water customers are in downstream communities (Bangor, Eddington, Hampden, Hermon, and Orrington), while the protected shoreline and watershed areas are in upstream communities that do not use the water. (A small portion of Clifton is served by Bangor Water.) Bangor Water controls nearly all the Floods Pond watershed in Otis and Clifton, 4,500 acres total and more than LAWPC controls in the Lake Auburn watershed. Recreational activities are also much more restricted at Floods Pond than at Lake Auburn. Floods Pond provides a useful comparison point at the more restrictive end of the spectrum that puts the lost tax revenues and recreational opportunities at Lake Auburn in perspective.

To summarize, these comparisons with other water supply lakes demonstrate that the protections surrounding Lake Auburn do not exceed those of China Lake, Sebago Lake, or Floods Pond. The restrictions on recreational opportunities at Lake Auburn are similar to those at other drinking water supplies, including filtered and unfiltered water sources. Similarly, land use restrictions within the Lake Auburn watershed are far from the most prohibitive among the examples discussed, with only 20% of the watershed held or managed as water supply land compared to 99% of the Floods Pond watershed. In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Holistic Recommendations

1. We recommend that the City of Auburn not seek to ease the current resource protection zoning or

consider rezoning portions of the watershed for increased density (e.g., village node-style development). Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed, preferably areas already served by sanitary sewer (for the benefit of nearby water resources such as the Androscoggin River). This recommendation is based on two key findings of this study that are fully elaborated in Section 3:

- Lake Auburn and its watershed are already at or near the key environmental thresholds of 10 parts per billion annual average total phosphorus and 75% forested watershed land cover; and
- The future scenario models showed that easing restrictions on further development in the Lake Auburn watershed would set the lake on a path toward deteriorating water quality, regardless of the beneficial effects of requiring low impact development techniques and without obvious management strategies to combat further declines in water quality.

2. We recommend that the Planning Board and City Council take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. If not acceptable in their current form, the recommended revisions should be reworked and made more practicable but not watered down or fundamentally changed in their intent or effect. These recommended changes represent a move toward simpler, more transparent, more evenly applied regulations that are based on the best available science. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. We recommend that the City of Auburn share the findings of Section 4, Analysis of Economic Impacts, with all partners and stakeholders so that the accounting of aggregate economic impacts of the existing conditions and various future scenarios are used as the basis for an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward. This recommendation is based on the key finding that any net benefits to the City or Auburn residents and taxpayers from expanded residential development in the Lake Auburn watershed would be counterbalanced by additional costs to Lewiston and its residents and taxpayers, in the form of increased costs associated with mitigating declining water quality and decreased benefits from recreation. These findings are fully elaborated by Section 4 of this report. As a next step in this planning process, we recommend that a scenario be modeled and run through a benefit cost analysis that meets the target water quality goal for Lake Auburn, which was not possible in the future scenarios modeled in this study when considering Auburn-only changes to regulations and management approaches. Developing a scenario that meets the water quality goal may require several iterations. The scenario should likely expand the existing Lake Auburn Watershed Overlay District to the upper watershed towns, require implementation of low impact development techniques on new development watershed-wide, and account for septic design standard changes.

4. We recommend that the City of Auburn, City of Lewiston LWD, AWD, and LAWPC fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed (Turner, Minot, Hebron, and Buckfield) to control development and limit phosphorus loading. Historically, LAWPC has been an active player in fostering collaborative action between the local governments, with representation from the upper watershed towns. This recommendation is based on the key finding from this study that Auburn alone cannot accomplish sufficient phosphorus load reductions to prevent deteriorating water quality in Lake Auburn, but will require active participation from the upper watershed towns. This finding is fully elaborated in Section 3.

5. We recommend completing a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both AWD and Bates College in the Lake Auburn watershed. Identify gaps based on weaknesses and assumptions for the model. From the review and gap analysis, devise a robust long-term water quality monitoring plan and annual cost estimate for Lake Auburn. We also recommend that 1) the AWD hire a full-time, dedicated data management technician for improved management, access, and analysis of collected water quality data; 2) the AWD and LWD continue collaboration with Bates College on student-assisted monitoring; and 3) LAWPC consider creating a technical science advisory board to establish or maintain key local, State, and regional partnerships that can help to provide regular review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the in-take should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. We recommend that the LAWPC coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. We recommend developing a comprehensive natural resource management plan for LAWPC lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection if in the interest of public water supply protection, with multiple management options offered. We also recommend developing natural resource inventories for all LAWPC lands to map critical streams (perennial and intermittent), wetlands, vernal pools, cover types, rare, threatened, and endangered species present, etc. to include in individual natural resource management plans that set management objectives and methods to achieve water resource and wildlife habitat protection for each LAWPC parcel. If timber harvesting continues in the Lake Auburn watershed on LAWPC or private lands, then we recommend a series of actions to minimize forestry impacts to water quality. Refer to Forest Management in Section 3.

10. We recommend that LAWPC work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that LAWPC consider putting all their properties into permanent conservation. These properties are currently protected under the LAWPC by-laws but provide no higher-level legal protection from future development if said by-laws were to be revoked.

Photo Credit: Sun Journal

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Appendix 2

Current Septic Design Standard

Auburn Zoning Ordinance Section 60-952(f)(1): Subsurface absorption areas shall not be permitted on sites on which the highest seasonal groundwater table, bedrock or other impervious layer is less than 36 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.

The Implication: Local standards within the Lake Auburn Watershed Overlay District limit development on a significant portion of the watershed by effectively prohibiting the use of innovative and alternative septic system and leach field designs to meet the 'depth to constraining layer' requirement. These innovative and alternative designs are otherwise allowed by the State and can achieve comparable or better nutrient removal than a traditional system and leach field.

Recommended Septic Design Standard

The Recommendation: Maintain a requirement for a minimum depth of 36 inches above the constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

This can be achieved by referencing the Maine Subsurface Wastewater Treatment Rules (10-144 CMR 241), with the exception that the required depth to the constraining layer would be at least 36 inches (specified by updating Table 4-F, Minimum Permitting Requirements and Minimum Design Requirements). Because the State rules already provide for the use of such alternative designs such as mounded leach fields and drip distribution systems, as well as other proprietary systems, these would be allowed in the Lake Auburn watershed as well.

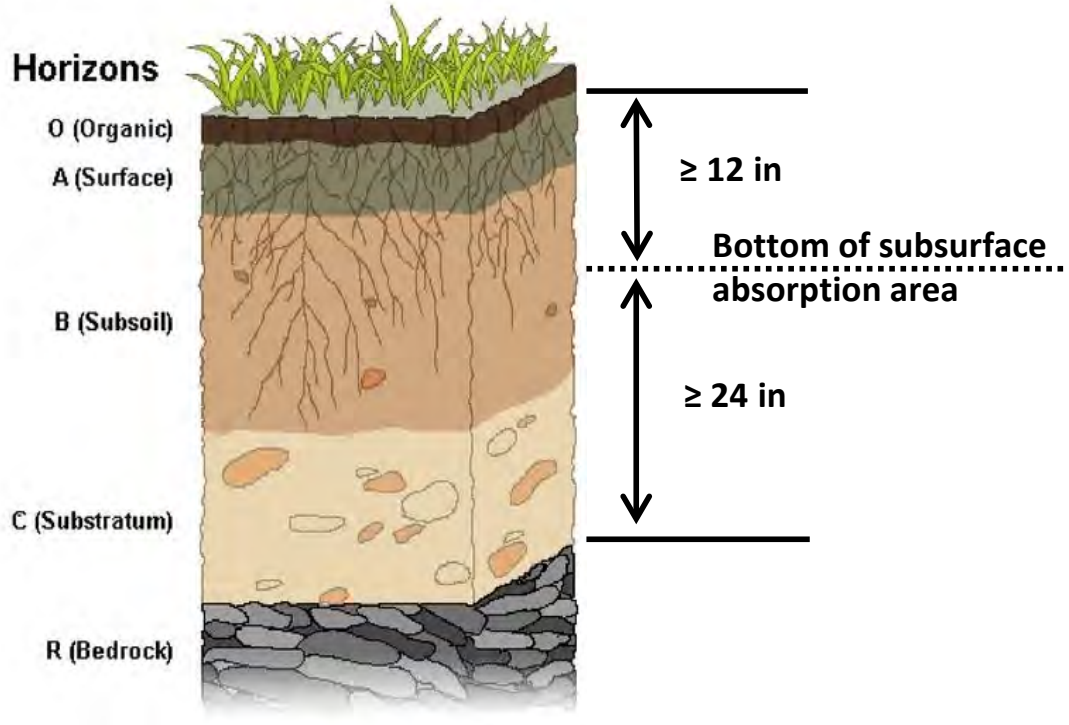

Image Credit: File:SOIL PROFILE.png by Hridith Sudev Nambiar at English Wikipedia.

ORDER 05-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following four amendments:

a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052.

c. **Court Street/City Core of Urban Residential Area;** 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 01/03/22

Author: Jay Brenchick, Director, Economic Development

Subject: Downtown Revitalization Plan

Information: This workshop provides the opportunity for City Council to meet the new Downtown Coordinator and for new City Council members to see the Revitalization Plan presentation.

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion

Previous Meetings and History: The Downtown Revitalization Plan that was presented in the fall called for a Downtown Coordinator to be hired. This is an opportunity for City Council to meet the new Downtown Coordinator and for the new City Council members to see the Revitalization Plan in person.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 01-01032022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn.

Information: Chief of Police Moen requests that the Auburn City Council appoint Civilian Process Servers (city employees and volunteers) to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) to serve documents within the City of Auburn for 2022.

City Budgetary Impacts: N/A

Staff Recommended Action: Vote to confirm Chief Moen's appointments of Civilian Process Servers to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2022.

Previous Meetings and History: Annually and periodically, requests are made for appointments and re-appointments for the next or current calendar year.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Memo from Chief Moen

Auburn Police Department

Jason D. Moen | Chief of Police
Timothy A. Cougle | Deputy Chief of Police
www.AuburnPD.com | 207.333.6650
60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: December 16, 2021

To: Honorable Mayor Jason J. Levesque and Members of the City Council

From: Jason D. Moen Chief of Police

RE: CONSTABLES 2022

We request the following named persons be appointed to serve documents as Civilian Process Servers on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2022:

John Banville	Employee	Civilian Process Server	Without Firearm	Re-appointment
Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Maegan Kyllonen	Employee	Civilian Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment

ORDER 01-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoint the following named persons to serve documents as Civilian Process Servers (employees and volunteers) on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2022. Constable Process Servers (Private) are not an agent or employee of the city or entitled to hold himself/herself out as such and is not authorized to carry a firearm in the performance of his/her duties, and that his/her authority to act as a constable is limited to private employment as a process server.

John Banville	Employee	Civilian Process Server	Without Firearm	Re-appointment
Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Maegan Kyllonen	Employee	Civilian Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 02-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Sealer of Weights and Measures

Information: The City Council appointed Bryan Bachelder as the city's local Sealer of Weights and Measures in February 2019. He is a retired Maine State Trooper with a history of weights and measures. Mr. Bachelder has successfully passed the two national certification programs and is insured. The certifications are good for five years which would expire on August 22, 2023. There is no liability to the city.

City Budgetary Impacts: None. No cost to the City.

Staff Recommended Action: Re-appoint Bryan Bachelder as the Sealer of Weights and Measures with a term expiration of December 31, 2022.

Previous Meetings and History: Appointed for 2019 on 2/25/2019, and has been re-appointed each year since.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Bryan Bachelder Letter and Certifications and Order.

Bryan Bachelder

P.O. Box 271

Readfield, Maine 04355

207 458 9388

August 28, 2018

Subject: Local Sealer

To whom it may concern,

I am a retired Maine State Trooper with a history of Weights and Measures. I would like to be the Local Sealer for your town/city. I have enclosed my qualifications from the National Conference on Weights and measures. This appointment/election to the position of Local Sealer is mandated by the state (see LD enclosure) and is of no cost to you. Consideration for this position is greatly appreciated.

Sincerely

Bryan Bachelder

Retired Maine State Trooper

Local Sealer

Enclosures:3

LOCAL SEALER

Checking local gas pumps and retail scales for calibration

FUEL

BRYAN BACHELDER
P.O. Box 271
Readfield, ME 04355
bbach0167@aol.com
tel: 207 458-9388
Insured

National Conference on Weights and Measures

Professional Certification Program

Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Retail Motor Fuel Dispensing Systems

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney

BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

DATE OF CERTIFICATION

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

National Conference on Weights and Measures

Professional Certification Program

Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Small Capacity Weighing Systems Class III

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney

BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 26, 2018

DATE OF CERTIFICATION

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

§2461. ELECTION BY MUNICIPAL OFFICERS

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section.[2017, c. 172, §1(NEW).]

§2462. MUNICIPALITIES THAT DO NOT CHOOSE A SEALER

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality. [2017, c. 172, §1 (NEW).]

§2463. POWERS AND DUTIES

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section

2403. These powers and duties extend to the official's jurisdiction. [2017, c. 172, §1 (NEW).]
SECTION HISTORY 2017, c. 172, §1 (NEW).

§2464. RECORDS OF WEIGHTS AND MEASURES SEALED; ANNUAL REPORT
A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require. [2017, c. 172, §1 (NEW).]

ORDER 02-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Bryan Bachelder as the Local Sealer of Weights and Measures with a term expiration of December 31, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 03-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed date change for the second Regular City Council meeting of January 2022

Information: Recommend changing the second Regular City Council meeting date from Monday, January 24, 2022, to Tuesday, January 18, 2022. The second meeting of the month falls on a holiday and rather than pushing the meeting out another week, we are recommending that the meeting be held the Tuesday after the holiday instead of the following Monday.

City Budgetary Impacts: None.

Staff Recommended Action: Approve

Previous Meetings and History: In past years, we have held meetings that would have fallen on a holiday on the Tuesday immediately following that date.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 03-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes changing the second regular meeting of the City Council from Monday, January 24, 2022 to Tuesday, January 18, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 04-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Setting the time for opening the polls for 2022 Elections

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Information:
State law requires the Municipal Officers to set the time to open the polls for elections. The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on election day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. It is recommended that the polls open at 7:00 A.M. in Auburn for all 2022 elections. Opening the polls at 7:00 A.M. is consistent with past practice in Auburn and it allows additional time in the morning for people to have an opportunity to vote.

21-A §626. Polling times

The following provisions apply to polling times at any election.

1. Opening time flexible. The polls must be opened no earlier than 6 a.m. and no later than 8 a.m. on election day, except that in municipalities with a population of less than 500, the polls must be opened no later than 10:00 a.m. The municipal officers of each municipality shall determine the time of opening the polls within these limits. The municipal clerk shall notify the Secretary of State of the poll opening times at least 30 days before each election conducted under this Title.

City Budgetary Impacts: Minimal – the cost for Election workers to start one hour early is under $100.

Staff Recommended Action: Recommend a motion to set the time for opening the polls for all 2022 Elections to be 7:00 AM.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order 04-1032022

ORDER 04-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby sets the time for opening the polls for 2022 elections to be 7:00 AM.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING DECEMBER 20, 2021 VOL. 36 PAGE 203

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

Pledge of Allegiance

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

1. Order 141-12202021*
Confirming Mayor Levesque's board and committee appointments.

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the one consent item.

Passage 7-0.

II. Minutes – December 6, 2021 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the December 6, 2021 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication – Mayoral Appointments
- Hydro Power Communications
- Council Communications (about and to the community)

Councilor Walker announced that the Age Friendly Committee will be holding a New Years Day celebration at noon time at the Auburn Senior Community Center.

Councilor Whiting stated that the Auburn Nordic Ski Association is open for cross country skiing.

Mayor Levesque reminded everyone about the upcoming New Year's Eve event that is to be held on Friday, December 31st on Main Street in Auburn.

IV. Open Session

Walter Reynolds, Public Works Department employee stated that a proposal has been put together, for the City Council to consider, requesting additional compensation from ARPA funds for PW employees that worked during the pandemic.

V. Unfinished Business

1. Ordinance 45-12062021
Amending the Code of Ordinances, Chapter 20 – Fire Prevention and Protection, Article III – Fire Code. Sec. 20-55. - Appeals. Second reading.

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

Public comment - No one from the public spoke.

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

2. Ordinance 46-12062021
Amending the Code of Ordinances, by adding Sec. 20-84 – Permits; requirements. Second reading.

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

Public comment - No one from the public spoke.

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

3. Ordinance 47-12062021
Amending the Code of Ordinances, Sec. 20-32 – Fees for service. Second 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.

4. Ordinance 48-12062021
Amending the Code of Ordinances, Appendix A: Fees; Fire Prevention and Protection. Second reading.

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

Public comment - No one from the public spoke.

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

VI. New Business

Motion was made by Councilor Milks and seconded by Councilor Walker to authorize the City Manager to take any action necessary to effectuate an agreement with the State regarding apportionment of funds from the Opioid litigation. This is Order 147-12202021.

Public comment – No one from the public spoke.

Passage 7-0.

1. **Order 142-12202021**
Approving the Mass Gathering permit for the New Year's Eve event. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. **Order 143-12202021**
Approving the liquor license for the New Year's Eve event. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

3. **Order 144-12202021**
Approving the amendments to the Auburn-Lewiston Local Cable TV Operations Interlocal Agreement.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. **Order 145-12202021**
Establishing the National Incident Management System (NIMS) as the City standard for incident management.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. **Order 146-12202021**
Amending Order 132-12062021 previously adopted by the City Council on 12/06/2021.

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

Public comment – No one from the public spoke.

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

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque announced that he has taken the Mayor's seat on the School Committee, their first meeting was on Wednesday and it went well.

Councilor Milks stated that the Water and Sewer budgets were approved last week at a public meeting.

Manager Crowell stated that the budget process has started and is in full swing. A workshop will be held with the Council to provide them with information regarding access to our Munis system which will be available to them. Tablets will be handed out to new councilors as soon as possible. He provided an update on staffing challenges, and policies relating to COVID and he thanked staff for doing a fantastic job to ensure that services are still being provided.

Jill Eastman, Finance Director – November 2021 Final Finance Report

Motion was made by Councilor Walker and seconded by Councilor Morin to accept and place on file the November 2021 Final Finance report.

Passage 7-0.

IV. Executive Sessions - None

V. Adjournment – Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn. Unanimously approved. Time 7:48 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Mathieu Duvall, Chairperson, Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Proposed Amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 feet to a Width of 750 feet from the centerline of the roadways.

Date: December 14, 2021Planning Board Meeting

The Planning Board forwarded a negative recommendation to the Council on this proposal at the November 9th, 2021 Planning Board meeting. Providing reasons for the recommendation was discussed by the Board but was not included in the final motion. This was explained by the City Manager as a requirement of the process for Planning Board Recommendations. The Council voted Monday December 6th to table the item indefinitely, effectively ending the discussion. The Planning Board wished to correct this omission and provide the required information to the Council. On December 14th the Planning Board discussed their reasons and voted to pass the following on to the Council as the findings and reasons for their negative recommendation:

1. The proposed expansion of residential strips conflicts with recommendations in the 2010 Comprehensive Plan and expands development outside the core of the City, into Agriculturally zoned areas.
2. The proposal would allow for increased development in the Lake Auburn and Taylor Pond Watersheds, without consideration of the recently released Lake Auburn Watershed Study recommendations, including Low Impact Development Standards.
3. The 2020 Comp Plan FLU Map updates deserve consideration prior to considering the residential strip expansion.

City Council Order

IN CITY COUNCIL

Communications

Mayoral Appointments

- **Public Safety Ad Hoc Committee** – Rick Whiting and Ryan Hawes
- **Committee to review Committees** – Rick Whiting and Joe Morin

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 05-01032022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Initiate the discussion of Zoning Considerations from 2021 Updated Comprehensive Plan

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Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. We do not have capacity to consider all the changes at once, but we plan an ambitious effort to have changes under consideration going forward. Below are four changes that staff suggests we start discussing by having the Council initiate their consideration pursuant to Chapter 60, Article XVII Division 2 of City Ordinances. Initiation of these discussions will direct staff to draft the amendments and forward them to the Planning Board for a public Hearing and recommendation back to the Council on how to proceed.

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a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended. (See attached a.)

Proposed Zone Change:

COMMERCIAL DEVELOPMENT DISTRICT (CDD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic. The district will allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses **–** The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services

- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052. (See attached b.)

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective – To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the city. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update. The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi dwelling development with up to three stories (plus attic space), with multiple

commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited, and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

c. <u>Court Street/City Core of Urban Residential Area;</u> 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas. (See attached c.)

<u>TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)</u>

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

City Budgetary Impacts: Up to $5,000 in approved Comprehensive Plan Implementation funds for State Geologist/Soil Scientist/Site Evaluator and mapping consultation. The changes will result in new investment and create new taxable value.

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

Previous Meetings and History: December 6th Council adoption.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Lake Auburn Study Excerpts, full report here:
https://www.auburnmaine.gov/CMSContent/City_Manager/LakeAuburn_FinalReport%20UPDATED.pdf

ORDER 05-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following four amendments:

a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052.

c. **Court Street/City Core of Urban Residential Area;** 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Ordinance:** 01-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed ordinance amendment, Sec. 2-58. Time and place of regular meetings.

Information: Under our current ordinance, if a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following Monday. There has been discussion about amending the ordinance, so those meetings are held on the following Tuesday instead.

Sec. 2-58. - Time and place of regular meetings.

The dates and time of the regular meetings of the city council shall be the first and third Mondays of each calendar month at 7:00 p.m. If a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following ~~Monday~~ Tuesday at the same time and place unless the city council shall, at the meeting held next prior to the meeting falling on the holiday or the night before the holiday, fix a different alternate meeting date. The place of such meetings shall be the city council chamber in the city building, hereby designated to be the regular meeting place, unless the council designates another meeting place. All meetings of the city council shall be open to the public and may be continued to another location.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to approve the proposed amendment.

Previous Meetings and History: Prior to January of 2016, if a regular City Council meeting fell on a holiday, the meeting was held the following Tuesday. In January of 2016, an amendment was made to change that to the following Monday, one week later.

Attachments:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDINANCE 01-01032022

City Council Ordinance

IN CITY COUNCIL

ORDINANCE AMENDMENT, Sec. 2-58. Time and Place of Regular Meetings

Be it ordained, that the City Council hereby amends the Code of Ordinances, Sec. 2-58, Time and place of regular meetings as follows:

Sec. 2-58. Time and place of regular meetings.

The dates and time of the regular meetings of the city council shall be the first and third Mondays of each calendar month at 7:00 p.m. If a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following ~~Monday~~ Tuesday at the same time and place unless the city council shall, at the meeting held next prior to the meeting falling on the holiday or the night before the holiday, fix a different alternate meeting date. The place of such meetings shall be the city council chamber in the city building, hereby designated to be the regular meeting place, unless the council designates another meeting place. All meetings of the city council shall be open to the public and may be continued to another location.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Ordinance:** 02-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed amendment to the Code of Ordinances Sec. 2-430 – Membership; responsibility (Regulatory Advisor Board)

Information: On December 6, 2021 the City Council adopted an ordinance, Sec. 2-441 to compensate members of the regulatory advisory board, $600 annually (Ordinance 41-11152021). Since that time, it was discovered that there is another section of our Code that conflicts with the newly adopted section of the ordinance. This proposed amendment would strike language that states that the board will serve without compensation, removing the conflicting language.

Sec. 2-430. Membership; responsibility.

A board of regulatory advisory shall be appointed by the city council, consisting of seven members~~, to serve without compensation~~.

The purpose of the regulatory advisory board is to perform the responsibilities of the board of assessment review, board of appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage of the ordinance amendment.

Previous Meetings and History: November 1, 2021, November 15, 2021, December 6, 2021.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDINANCE 02-01032022

City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division 2, amending Sec. 2-430 – Membership; responsibility

Be it ordained, that the following ordinance be amended:

Chapter 2, Article V, Division 2, amending Sec. 2-430 – Membership; responsibility

A board of regulatory advisory shall be appointed by the city council, consisting of seven members.~~, to serve without compensation~~.

The purpose of the regulatory advisory board is to perform the responsibilities of the board of assessment review, board of appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 06-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed amendments to the Board & Committee Appointment Process

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Information: Staff is recommending amending the Board and Committee Appointment Policy (see attachment) in order to streamline the process and to shorten the turnaround time on appointments.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Amendments were in 2014 and again in June of 2021.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Board & Committee Appointment Policy with proposed amendments, and Order 06-01032022.

ORDER 06-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby amends the Board and Committee Appointment Policy as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER: 06-01032022 (ATTACHEMENT)

CITY OF AUBURN
BOARD AND COMMITTEE APPOINTMENT POLICY

The Mayor shall appoint a three member committee hereinafter called the "Appointment Committee". The Appointment Committee shall review all applications to boards or committees assigned per attachment "Committees of the City of Auburn"; the Committees may interview applicants, including incumbents, for vacancies on all City boards, commissions and committees.

The Appointment Committee may review term expirations and propose appointments as frequently as necessary. The Clerk shall notify the various boards, commissions, and committees of the upcoming expirations and any current vacancies., ~~the Mayor, the City Manager and the City Council members of the upcoming expirations and any current vacancies periodically, but not less than once per year.~~

Incumbents will receive notification from the Clerk reminding them of the expiration of their term and letting them know they need to reapply. Additionally, the Clerk shall post on the City website a notice of vacancy for ~~at least 30~~14 days. However, if a term becomes vacant due to a resignation, death, residency, disqualification, or other sudden vacancy, the committee may shorten or eliminate the ~~30~~ 14 day posting. The Clerk will also notify all alternate members so that they may ~~apply~~ submit a letter of interest for full membership, if interested.

A notice shall be placed on the City's website. The Clerk may create an email group of neighborhood group contacts, Chamber, contacts and other interested individuals to which the advertisement may be sent.

Applications shall only be accepted during the posted period and must be postmarked no later than the deadline. Emails are acceptable and must be time stamped in advance of the deadline. Incumbents must ~~reapply~~ submit a notice of interest each time. All new applicants are required to send a completed application form and it is recommended that they also send a resume and a cover letter to apply.

The Clerk shall notify the staff person to the board, commission, or committee in question, so that he/she can also have a conversation with any incumbents to let them know their term is expiring.

All boards, commissions, and committees will be provided with a brief description of that board's duties and the qualifications for appointment will be in the header, notebooks containing the ordinances/by-laws pertaining to each board, commission, or committee, and a list of the incumbents on all boards.

The Appointment Committee meetings are considered a Public Meeting. The date and time of the meeting will be posted on the City website at least 2 days prior to the meeting. All City

Councilors will receive copies of the applications to review at least ~~one week~~two days prior to the Appointment Committee meeting. During the Appointment Committee meetings, the Committee may enter into Executive Session to review applications.

The Appointment Committee may vote by hand or by consensus on the nominee for each vacancy. If the Appointment Committee does not agree on a nominee, a vacancy may be re-advertised or presented to the City Council.

Within two business days after the nominations are completed, the Clerk shall notify the employees who staff the boards, commission, or committees, to let them know who is being nominated or that a position is being re-advertised. Also on that day, the Clerk shall notify applicants who are being nominated. Nominees shall be told when their appointment is going to the full Council agenda. Appointments will appear under the consent agenda and 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~~ agenda under new business with possible Executive Session if needed. ~~Nominees will be asked to attend the meeting~~.

Except for legal retention purposes, resumes will not be kept for future vacancies~~, once interviews have been held~~. The process shall start fresh each time, ensuring that resumes are current and received from applicants qualified to fill the positions.

The Clerk shall prepare the order for the Council meeting, noting the names, board to which members are being appointed and the term expiration date. ~~At the meeting, the Mayor shall ask the new board members to stand and introduce themselves, once the order has passed.~~

Within two business days, after the Council appointments are passed, the Clerk shall notify each new member, congratulating them, advising them of the expiration date of their term, telling them who the staff person is and letting them know they must be sworn in before their first meeting. A copy of the notification shall be sent to the staff person for that committee along with the new member's resume.

The website shall provide a complete list of all the board and committee members currently serving~~, date of end of term, and date of original appointment~~.

All appointments in this policy are those subject to the approval of the City Council. ~~Appointments of the Mayor as conferred in Charter are subject to this process or processes.~~

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Alternate Member

An alternate member shall participate in all meetings with the same rights as a full member, except they shall not have the right to vote. The right to vote shall only be conferred by a vote of full members present to fill an absence, temporarily vacated seat, or to replace a member who has removed themselves due a conflict of interest. Alternate members shall be appointed to voting rights on a rotating basis, so as to preserve fairness. The purpose of alternate members is to sustain a full voting board and to educate new interested persons before becoming

a full member. It is the intent but not mandate of the Council to promote Alternate Members to full membership before accepting new members to a board or committee.

Reports and Vacancies

A vacancy on any appointive board, commission, or committee of the city shall exist upon the occurrence of any of the following events:

(a) Death of a member.

(b) Resignation of a member.

(c) Moving by a member of the member's place of residence from the City of Auburn. When a member moves from the City of Auburn, the vacancy shall occur immediately and the member shall not serve at any further meetings.

(d) Failure of a member to attend more than three (3) consecutive meetings or absence from five (5) meetings during the preceding twelve-month period.

Reporting actions and vacancies.

The chairman of each board or commission of the city shall certify or cause the secretary of the board or commission to certify to the city council each month the actions of said board or commission, together with the record of absences of members. In such report, the chairman or secretary of each such board or commission shall notify the city council of any vacancy occurring on such board or commission. In the event that a vacancy occurs, the board or commission may, by majority vote of its membership, exclusive of the member affected, recommend to the city council that the attendance provision be waived for cause, in which case no vacancy shall exist until the city council disapproves the recommendation.

Removal from Office

An official or officials who are alleged to have caused grounds for removal from office are subject to the "Policy for Removal of Officials Appointed to Boards, Commissions and Committees" approved as part of this policy.

POLICY FOR REMOVAL OF OFFICIALS APPOINTED TO BOARDS, COMMISSIONS AND COMMITTEES

1. Purpose. The purpose of this policy is to have in place a process for the removal of officials appointed to boards, commissions and committees

2. Authority. The City Council exercises its authority to remove officials under Title 30-A, section 2601 which allows the removal for cause after notice and hearing.

3. Cause. All grounds constituting cause cannot be detailed. However, the following are examples of conduct which may result in removal for cause:

A. More than three consecutive absences or five absences within a calendar year, unexcused by the Board, Commission or Committee by majority vote. This subsection may not be used unless the records of the Board, Commission or Committee reflect the facts constituting grounds. Nothing in this subsection shall be interpreted to prevent an official from requesting a leave of absence from the Council for unusual circumstances. Unusual circumstances could include, but not be limited to, illness of the official or an immediate family member; temporary relocation for employment, military duty or educational reasons; and increased temporary child care responsibilities. In making the decision whether or not to grant a leave of absence, the Council shall balance the needs of the City and the Board, Commission or Committee with the needs of the official.

B. Inappropriate public conduct or conduct to other officials related to the office held. Examples include but are not limited to verbal abuse to other officials or members of the public, or obstruction of meetings of the Board, Commission or Committee.

C. Impairment by alcoholic beverages or drugs at Board, Commission or Committee functions.

D. Indictment or conviction (1) for a Class C or higher Crime, or (2) for a Class D or lower crime or a civil violation, directly or indirectly affecting the office held. Examples of Class D or lower crimes or civil violations affecting the office held would be shoplifting a compact disk where the office involved the handling of money; or violations of a protected resource where the Board, Commission or Committee deals with that resource. These provisions apply even when the conduct leading to the indictment or conviction has taken place outside the City of Auburn or State of Maine.

E. Other reasons related to the good of the Committee, the City or the office held.

1. Removal procedure.

A. Separation of roles. While a City Councilor sitting in a removal proceeding may be aware of the facts and circumstances leading to the proceeding, the City Council recognizes that no individual Councilor may prejudge the proceedings. Therefore, in a proceeding to remove an appointed official, the facts and circumstances shall be investigated by the City Manager or the City Manager's designee (hereinafter "the City Manager"), rather than an individual Councilor. Should allegations be brought to an individual Councilor, which the individual Councilor believes may be cause for removal, the individual Councilor shall turn the facts and circumstances over to the City Manager, and refer further inquiries to the City Manager. Inquiries to other Councilors shall be turned over to the City Manager. No Councilor shall participate in any removal hearing if that Councilor has an interest, a conflict, or is disqualified, under the Rules of Order and Procedure for Auburn City Council.

B. Investigation. The City Manager shall investigate the allegations as soon as reasonably possible. If the City Manager determines the allegations create probable grounds for removal, the City Manager shall notify the official in writing that the City Manager is contemplating a recommendation to the City Council that the official be removed, outlining the City Manager's reasons. The City Manager shall provide the official a reasonable amount of time to provide the official's position on the allegations, before the City Manager finalizes the recommendation to the City Council.

C. Hearing. If the City Manager recommends removal, the City Council shall schedule a hearing on the official's removal. The hearing shall be scheduled at a time which will allow the City Manager and the official an adequate opportunity to prepare their presentations to the City Council. At the hearing, the City Manager shall present the City's case with the official's case following. The presentations may include witnesses and exhibits, including documents. The City Manager and the officials shall provide each other a list of witnesses and exhibits at least seven days before the hearing date unless another time is agreed upon. Each party shall be allowed to ask questions of the other party's witnesses. Evidence will be admissible if it is evidence which would be relied upon by persons in the conduct of serious affairs. This means, for example, that hearsay evidence will not be excluded, and that the procedure will be conducted according to the principles of fair play rather than of strict rules of evidence.

D. Confidentiality. The hearing shall be conducted in open session unless the Council determines public discussion could reasonably be expected to cause damage to the official's reputation or the official's

right to privacy would be violated. If the Council makes that determination, all related materials will be confidential until a final, non-appealable decision. Regardless of the Council's decision on public discussion, the official may request in writing that the hearing be conducted in open session, and that all related materials be public.

Even if the hearing is conducted in open session, it is not a public hearing. Stated differently, the only persons presenting testimony or evidence will be those persons selected by the City Manager or official. The general public will not be invited to testify at the hearing.

E. Decision. After the City Council hears the evidence, it shall issue a written decision of those present and voting. The written decision shall state the facts and conclusions upon which the City Council relies in making its decision. If the written decision removes the official from office, the written decision shall become public as soon as it is a final, non-appealable, decision. The vote on the written decision shall be by majority vote.

5. Resignation. If the official elects to resign at any stage of this process, the process shall terminate, and any pending investigation or hearing under this process shall cease.

Boards & Committees of the City of Auburn – see Appendix

COMMITTEES & BOARDS OF THE CITY OF AUBURN

APPENDIX

COMMITTEES & BOARDS OF THE CITY OF AUBURN

Board Name

911 Committee
Age-Friendly Community Committee
Agriculture Committee
Androscoggin County Budget Committee
Androscoggin Transportation Resource Center (ATRC)
Androscoggin Valley Council of Governments (AVCOG)
Appointment Committee
Auburn Business Development Corp (ABDC)
Auburn Housing Authority
Auburn & Lewiston Municipal Airport
Auburn Public Library Board of Trustees
Auburn Sewer District Board of Trustees
Auburn Water District Board of Trustees
Audit Committee
~~Cable TV Advisory Board~~
Citizen's Advisory Committee (CAC)
City Council
Community Development Block Grant (CDBG) Loan Committee
Complete Streets Committee
Conservation Commission

- Community Forest Subcommittee
- Parks Subcommittee

Ethics Panel
Lewiston-Auburn Railroad Company (LARC)
L/A Transit Committee (LATC)
L/A Water pollution Control Authority
Maine Waste-to-Energy
Parks & Recreation Advisory Board
Planning Board
Registration Appeals Board
Regulatory Advisory Board
School Committee

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
January 18, 2022
Agenda

5:30 P.M. City Council Workshop

A. Energy & Sustainability update – Derek Boulanger & Dan Goyette (20 Minutes)
B. Disorderly Property Ordinance – Phil Crowell (20 minutes)
C. Taxicab Ordinance – Phil Crowell (20 minutes)
D. Council Vision and Goals – Council Discussion (20 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Hawes

Pledge of Allegiance

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

1. Order 07-01182022*
Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

2. Order 08-01182022*
Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.

3. Order 09-01182022*
Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

4. Order 10-01182022*
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

5. Order 11-01182022*
Appointing James Timoney to the Auburn-Lewiston Airport Board with a term expiration of 1-1-2023.

6. Order 12-01182022*
Re-appointing Patricia Madore to the 9-1-1 Committee with a term expiration of 1-1-2024.

7. Order 13-01182022*
Re-appointing Jennifer Kimble to the Auburn Housing Authority with a term expiration of 10-1-2025.

8. Order 14-01182022*
Appointing Tina Eugley to the Age Friendly Committee with a term expiration of 6-1-2023.

9. Order 15-01182022*
Appointing Pam Rousseau to the Agriculture Committee with a term expiration of 4-1-2024.

10. Order 16-01182022*
Appointing David Gonyea to the ad hoc Public Safety Building Committee.

II. Minutes – January 3, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Communication from the Agriculture Committee
- Budget Portal Presentation – Jill Cunningham
- Police Overview
- EMS Status / Fire Overview
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 01-01032022
Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Second reading.

2. Ordinance 02-01032022
Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Second reading.

VI. New Business

1. Order 17-01182022
Adopting the revised CDBG-CV Budget as presented. Public hearing and vote.

2. Order 18-01182022
Adopting a remote meeting policy pursuant to 1 M.R.S.A. § 403-B.
Public hearing and vote.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – December 2021 Final Monthly Report

IX. Executive Sessions:

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

VIII. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Author: Dan Goyette and Derek Boulanger

Subject: Energy and Sustainability Update

Information: Beginning in 2013, the City of Auburn has undertaken several energy reduction and sustainability projects to reduce costs and reduce the City's environmental impact. These projects include converting all City facilities to natural gas, installing LED lighting, purchasing, and converting streetlights to LED, as well as entering into long term agreements to purchase renewable energy to meet the City's electricity needs.

City Budgetary Impacts: The City has saved hundreds of thousands of dollars over the life of these projects.

Staff Recommended Action: Continue to encourage City staff to seek out and complete these types of projects.

Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Author: Phil Crowell, City Manager

Subject: Disorderly Housing

Information: It is the responsibility of the city to protect the health, safety, and welfare of the residents of the Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Often, these incidents are occurring in housing units or rentals which are unoccupied by the owners. Inquiries have been done with other municipalities to determine how enforcement is being handled.

Many communities over the past few years have adopted a Disorderly Housing Ordinance. Communities have found that chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

Most ordinances define a "disorderly house" as any building which the Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, cohabitees, residents, guests or invitees and that would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building. This ordinance would not have an impact for someone calling for service as it relates to protection like a domestic assault, sexual assault, or protection from abuse orders.

Attached are two examples of ordinances in Portland and Gorham for the council to consider.

City Budgetary Impacts: N/A

Staff Recommended Action: Review and recommend if staff should proceed with an ordinance at the 2/7/22 meeting.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Portland Disorderly Housing Ordinance and Gorham Disorderly Housing Ordinance.

Sec. 6-199. Reserved.

ARTICLE IX. DISORDERLY HOUSES

Sec. 6-200. Disorderly houses prohibited.

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, rooming house, or rooming unit (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The police have visited a minimum number of times in any thirty (30) day period, as set forth in paragraph (3) below, in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and which would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding incidents involving domestic violence); tenants or invitees of tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

(2) The police have visited three (3) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and involve the arrest of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law, or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. chapter 45 or prostitution or public indecency under 17-A M.R.S.A. chapter 35 has occurred; or

(3) The following table delineates the number of police visits per dwelling size which create a disorderly house under paragraph (1) above:

Units per building	Number of visits by police in any 30-day

	period
5 or fewer	3
6 to 10	4
11 or more	5

(c) The situation to which the visit pertains shall be documented by the police department. Such documentation may include sworn affidavits by named citizens which may be sufficient to create a reasonable suspicion said illegal activity has occurred. (Ord. No. 165-10/11, 4-4-11)

Sec. 6-201. Notice of disorderly house.

Whenever a building has been identified as a disorderly house by the city, it shall cause written notification of the events which form the basis for that designation to be given to the owner as long as that owner has registered in accordance with section 6-150 et seq. (disclosure of building ownership). Such notice shall be sufficient for all legal purposes. The notice shall require the owner to meet with representatives of the city (including the police department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his or her designee, to identify ways in which the problems which have been identified will be eliminated.

At the time of said meeting, the owner shall be obligated to provide to the city the following documentation:

(1) A copy of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

(2) Copies of all leases with tenants residing in the building;

(3) Contracts with any property manager or other person responsible for the orderly operation of the building;

(4) An accurate and up to date disclosure of building ownership form as required in 6-150 et seq.

In addition, the owner will agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the city and shall be implemented within one (1) week

of said meeting unless another date is agreed upon by the police department. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this housing code, and the city may file a complaint in the district court seeking all compensatory and equitable relief permitted by law.

If the same building should be classified as a disorderly house on a subsequent occasion within three (3) years, then the city is under no obligation to meet with the owner but may condemn and post the building or any units therein, and/or proceed directly with a complaint to the district court seeking all compensatory and equitable relief permitted by law.

(c) The notices provided for in this section may be given to an owner who has not complied with section 6-150, but are not required.
(Ord. 165-10/11 – 4/4/11)

Sec. 6-202. Enforcement.

(a) Authority to Enforce. If the owner (1) refuses to agree to take effective measures to address the disorderly house, (2) takes ineffective measures to address the disorderly house as determined by the city, (3) fails to implement the agreement reached with the city to address the disorderly house or (4) if, in the discretion of the city, the disorderly house requires immediate posting, the city may condemn and post the building against occupancy, and/or may file a legal action against the owner seeking any and all damages and remedies to which it is entitled pursuant to state and local laws.

(b) Notice of Suit. If the City pursues legal action against an owner or landlord for a disorderly house violation, notice shall be provided to the tenants by the City. Notice shall be made within a reasonable time following the service of the complaint upon the property owner. If a tenant list has been previously provided by a landlord, notice shall be made by regular mail to all known tenants in the building. If no tenant list has been provided, notice shall be made by regular mail to all occupants in each unit of the building.

(c) Condemnation. In the event that condemnation is required to address one or more disorderly house violation(s), the City shall provide notice to tenants of the building. Notice shall be made within a reasonable time following the City’s election to condemn the building. Notice shall be made by: (1) regular mail

to all known tenants or to all occupants in each unit in the building; and (2) by posting a copy of said notice at the premises.
(Ord. No. 165-10/11 – 4/4/11; Ord. No. 271-17/18, 7-16-2018)

Sec. 6-203. Cost of service for responses to disorderly houses.

(a) Whenever the police department is required to respond to a situation at a disorderly house, as defined in section 6-200, which constitutes the ninth (9th) or greater response in any thirty (30) day period, the owner of the disorderly house shall pay the cost of service for each such response as follows:

(1) For each such response for service the owner shall pay fifty dollars ($50.00) which shall be in addition to any penalty to which the owner may be subject.

(b) Failure to pay the cost of service within thirty (30) days after demand therefor shall subject the owner to the penalties provided in section 1-15.

(c) Charges which become payable hereunder shall be treated as liens on the property in question and shall be enforced in accordance with the provisions of section 1-16.
(Ord. No. 165-10/11, 4-4-11)

Sec. 6-204. Violations.

Any person violating any of the provisions of this article or failing or neglecting or refusing to obey any order or notice of the police department issued hereunder shall be subject to a penalty as provided in section 6-1.
(Ord. No. 165-10/11, 4-4-11)

ARTICLE X. ENERGY BENCHMARKING

6-205. General.

The energy and water use of municipal and covered buildings shall be benchmarked in accordance with this article.
(Ord. No. 67-16/17, 11-7-2016)

6-206. Purpose.

To encourage efficient use of energy and water and to reduce the emission of greenhouse gases, this ordinance requires owners of Covered Properties and Municipal Properties to annually measure and disclose energy usage to the Department. Furthermore,

TOWN OF GORHAM
DISORDERLY HOUSE ORDINANCE
Adopted: September 3, 2019

SECTION 1. TITLE.

This Ordinance shall be known as the "Town of Gorham Disorderly House Ordinance."

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the Town of Gorham by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Nothing contained in this Ordinance is intended to dissuade, discourage or prohibit any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities, including, but not limited to, the Gorham Police Department.

SECTION 3. LEGISLATIVE FINDINGS.

The Town Council hereby finds that:

(a) The Town has a substantial and compelling interest in protecting the health, safety, property, and welfare of its citizens and the neighborhoods affected by chronic unlawful or nuisance activity as well as in not dissuading, discouraging or prohibiting any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities.

(b) Chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

(c) The existing ordinances and enforcement processes of the Town do not adequately control chronic unlawful or nuisance activity or its detrimental effects on citizens and neighborhoods where such chronic activity occurs.

(d) Establishing the regulatory framework contained herein will alleviate the problems created by chronic unlawful or nuisance activity through early intervention by the Police Department.

SECTION 4. DISORDERLY HOUSES PROHIBITED.

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, or rooming house (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and that would have a tendency to unreasonably

disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding any request for police protection or any police intervention in the face of a threat or a perceived threat to person or property, or any request for the assistance of the police to enforce a court order, including, but not limited to, circumstances in which the request for assistance or other police intervention arises from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building); owners, tenants, or invitees of owners or tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

(2) The police have visited five (5) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and involve the arrest or summons of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law (excluding arrests or summonses arising from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building), or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. Chapter 45 or prostitution or public indecency under 17-A M.R.S.A. Chapter 35 has occurred at the property.

(c) The situation to which the visit pertains shall be documented by the Police Department. Such documentation may include sworn affidavits by named citizens that may be sufficient to create a reasonable suspicion said illegal activity has occurred.

SECTION 5. NOTICE OF DISORDERLY HOUSE.

(a) Whenever the Police Department has identified a building as a disorderly house, it shall cause written notification of the events that form the basis for that designation to be given to the owner. The notice shall require the owner to meet with representatives of the Town (including the Police Department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his/her designee, to identify ways in which the problems that have been identified will be eliminated.

(b) At the time of said meeting, the owner shall be obligated to provide to the Town the following documentation:

(1) A list of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

(2) Copies of all leases or occupancy agreement(s) with tenants or other persons residing in the building (confidential personal or financial information may be omitted);

(3) Contracts with any property manager or other person responsible for the orderly operation of the building; and

(4) Proof of building ownership.

In addition, the owner shall agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the Town and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the Police Department. The Police Chief or his or her designee has authority to execute such agreements on behalf of the Town. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this Ordinance, and the Town may file a complaint in court seeking all remedies permitted by law as set forth in Section 7 of this Ordinance.

(c) If the same building should be classified as a disorderly house by the Police Department on a subsequent occasion within three (3) years, then the Town is under no obligation to meet with the owner but may, after notice and hearing before the Town Council, condemn and post the building or any units therein against occupancy as set forth in Section 7(a), and/or proceed directly with a complaint in court seeking all remedies permitted by law as set forth in Section 7(a).

(d) The notices provided for in this section may be given to any person, including any legal entity having the right of legal title or the beneficial interest in the disorderly house or any portion thereof, as that interest is recorded in the assessing records of the Town or the Registry of Deeds of Cumberland County, which shall be sufficient for all legal purposes. Notice shall be provided to the owner and any non-owner occupants of the building (if known).

SECTION 6. APPEAL PROCESS.

The owner and/or any non-owner occupant(s) of a building that has been classified as a disorderly house by the Police Department may appeal such classification in writing to the Zoning Board of Appeals within fourteen (14) days of notification of such classification or within seven (7) days of any meeting with representatives of the Town pursuant to Section 5. In the event of a timely appeal, the Zoning Board of Appeals will provide the property owner, non-owner occupants (if known), and the Police Chief with seven (7) days' advance notice of a hearing date and time. At such hearing, the appellant and the Police Chief shall have the right to present oral or documentary evidence for the Zoning Board of Appeals' consideration. The owner and any non-owner occupants shall have the right to explain the events or any mitigating circumstances surrounding the alleged violation(s) and to present oral or documentary evidence for the Zoning Board of Appeals consideration. The Zoning Board of Appeals shall issue a written decision on the appeal, determining whether the violation(s) occurred, within fourteen (14) days of the hearing.

SECTION 7. ENFORCEMENT.

(a) It shall be the duty of the Police Department to administer and enforce the provisions of this Ordinance. If the owner (a) refuses to meet with representatives of the Town as set forth in Section 5 above, (b) refuses to agree to take effective measures to address the disorderly house, (c) takes ineffective measures to address the disorderly house as determined by the Town, (d) fails to implement the agreement reached with the Town to address the disorderly house, or (e) if, in the discretion of the Town, the disorderly house requires immediate posting in order to protect the public health, safety or welfare, the Town may condemn and post the building or any units therein against occupancy, and/or may file a legal action against the owner and/or violator seeking any and all remedies to which it is entitled pursuant to State and local laws, including, without limitation, declaratory and injunctive relief.

(b) In the event that condemnation and posting the building or any units therein against occupancy is necessary to address the disorderly house, the Town shall provide all non-owner occupants of the building with written notice of said condemnation at least thirty (30) days in advance of the act of condemnation or the posting against occupancy.

(c) In the event of legal action against an owner and/or violator for a disorderly house violation, the Town shall name the non-owner occupants of the building (if known) as parties-in-interest to said legal action.

SECTION 8. VIOLATIONS.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Police Department issued hereunder shall be subject to a penalty as provided herein.

SECTION 9. CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than one thousand dollars ($1,000.00) and not more than two thousand dollars ($2,000.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including, but not limited to, staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the Town of Gorham.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Author: Phil Crowell, City Manager

Subject: Ordinance change for Taxicab Licensing

Information: The Auburn Charter sec. 2.8 states "the city council shall provide for the review of the city's charter and ordinances in their entirety at least once every 15 years". Council recently completed the review of the City Charter and the City Ordinances. Last year, information was shared regarding the economic impact our ordinance has on taxi businesses and the council was advised that language changes would be submitted for consideration. With Lyft and Uber being more prevalent in the community, added regulations on a taxi business does not allow them to be marketable.

Staff is recommending the city council adopt the city ordinance changes regulating taxicab businesses to be more in alignment with the requirements required of Transportation Network Companies like an Uber or Lyft. These changes were discussed with the one licensed cab company in Auburn and the owner is very appreciative of this consideration.

City Budgetary Impacts: Less than $200.00 in revenue

Staff Recommended Action: Review and recommend changes to the edits

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Previous Meetings and History: Charter and Ordinance review discussions in 2020 and 2021.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Article XIV Taxicabs, Appendix A

ARTICLE XIV. TAXICABS

DIVISION 1. GENERALLY

Secs. 14-430—14-450. Reserved.

DIVISION 2. BUSINESS LICENSES

Sec. 14-451. Required; application.

(a) *License required:* No person shall operate a taxicab business without first obtaining a license to do so. Any person desiring to operate a taxicab business in the city shall first submit a written application therefore to the city clerk or designee which shall comply with the requirements of this section.

(b) *Signature:* Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases, by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and address and the date and place of birth of each of the principal officers of the applicant and of every person having management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.

(c) *Insurance:* The application shall be accompanied by a certificate of liability insurance, providing for minimum coverage of $50,000.00 property damage, $100,000.00 bodily injury per person, and $300,000.00 per accident.

(d) *Criminal conviction statement:* The application shall include a record of disqualifying criminal conviction of any principal officer of a corporation or owner of the business or of any person having management authority in the business, or a statement that no such convictions exist.

(e) *Vehicle information:* The application shall include the make, model, year, serial number, and license plate number of each vehicle for which a taxicab business license is sought and the address of the garage or other terminal at which the vehicle will be stationed when not in service. The licensee must also provide a copy of the valid state of Maine registration for each vehicle to be licensed.

(f) *Vehicle description:* The application shall include a detailed description of the graphic design, insignia, wording, and coloring which will appear on the vehicle, if licensed.

(Ord. No. 38-02072011-05, att. § 24-427, 2-7-2011)

Sec. 14-452. Denial of taxicab business licenses.

(a) The city clerk or designee may deny an application for a taxicab business license for any of the following reasons:

(1) A corporate applicant is not licensed to do business in this state.

(2) A principal officer or other person having actual ownership interest in a corporate applicant or managing authority in the business has a disqualifying criminal conviction.

(3) Any person having an actual ownership interest or management authority in a non-corporate applicant has a disqualifying criminal conviction.

(4) An applicant or any of the principal owners having a controlling interest held a taxicab business license in the city which was revoked within the three years preceding the filing of the application.

(5) The application contains a material and knowingly false statement of fact.

(b) The city clerk or designee shall promptly give written notice to the applicant of the reasons for denial and shall keep a copy on file.

(Ord. No. 38-02072011-05, att. § 24-428, 2-7-2011)

~~**Sec. 14-453. Inspections.**~~

~~Before a taxicab business license may be issued, all taxicabs to be covered by the license shall be thoroughly inspected by the police chief or designee at the applicant's expense and certified to be in safe condition. The applicant shall make its taxicabs available for such additional inspections at its expense as the police chief may reasonably require and shall not operate any taxicab not certified to be in safe condition until the unsafe condition is corrected.~~

~~(Ord. No. 38-02072011-05, att. § 24-429, 2-7-2011)~~

Sec. 14-454. Cancellation of insurance policy.

Should an insurance policy of any licensed taxi business in the city be canceled before its expiration date, the issuing company shall mail a 30-day written notice to the city. This notice should be sent to ~~the police chief and~~ the city clerk.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-455. Suspension of taxicab business licenses.

(a) The city clerk or designee shall suspend any taxicab business license for up to five days when satisfied that the licensee has:

(1) Failed to notify the clerk of any material change of fact set forth in the license application~~;~~.

(2) Failed to exercise proper control over its taxicab drivers as evidenced by the existence of three or more driver suspensions during the period of 12 months~~;~~.

(3) Determination that a taxicab driver was operating a cab with any disqualifying criminal conviction.

(4) Determination that a driver was operating a cab with a record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence currently or during the year preceding the application.

(5) Determination that a taxicab driver was operating a cab with a driver's license that is presently revoked or has been revoked during the last three years preceding the application.

(6) A driver knowingly took a longer route to his destination than was necessary unless so requested by the passenger; knowingly conveyed any passenger to a place other than that which the passenger

specified; transported any person other than the passenger first engaging the taxicab without the express consent of such passenger; harassed, threatened, or assaulted a passenger; charged more than the set fare.

~~(3) Permitted a taxicab to be operated when it has been determined to be in unsafe condition;~~

~~(4) Refused to comply with the provisions of this article regarding the maintenance and inspections of its taxicabs.~~

(b) In the event of a second or subsequent violation of the terms of these ordinances within the period of twelve months, the city clerk or designee shall suspend the licensee's taxicab business license for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.

(Ord. No. 38-02072011-05, att. § 24-431, 2-7-2011)

Secs. 14-456—14-474. Reserved.

~~*DIVISION 3. TAXICAB DRIVER'S LICENSES*~~

~~Sec. 14-475. Application for taxicab driver's licenses.~~

~~(a) Any person who wishes to secure a taxicab driver's license shall submit a written application to the city clerk or designee which shall contain the following:~~

~~(1) The age of the applicant.~~

~~(2) A complete statement of the applicant's health and physical condition.~~

~~(3) A complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists.~~

~~(4) A record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence during the year preceding the application.~~

~~(5) A statement as to whether any driver's license held by the applicant is presently revoked or has been revoked during the last three years preceding the application and the reasons for such revocation or revocations.~~

~~(6) An appropriate form or statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the clerk.~~

~~(b) The application for a license under this article shall be accompanied by a photograph, in duplicate, of the applicant, which meets specifications for a passport photograph and is current within 30 days annually.~~

~~(Ord. No. 38-02072011-05, att. § 24-432, 2-7-2011)~~

~~Sec. 14-476. Denial of taxicab driver's licenses.~~

~~(a) The city clerk or designee shall deny an application for a taxicab driver's license if:~~

~~(1) The applicant is under 18 years of age.~~

(2) The applicant does not have a valid motor vehicle operator's license.

(3) The applicant is unable to operate a taxicab safely by reason of physical incapacity.

(4) The applicant received a disqualifying criminal conviction at any time during the previous five years, provided that the conviction was for an offense that is reasonably related to the operator's fitness to operate a taxicab.

(5) The applicant has been convicted during the preceding three years of reckless driving, driving to endanger, operating under the influence or attempting to operate under the influence, or an equivalent offense in another state.

(6) His driver's license has been revoked during the preceding three years for any reason reasonably related to his ability to safely operate a taxicab.

(b) The city clerk or designee shall keep a written record of every decision to deny a taxicab driver's license.

(Ord. No. 38-02072011-05, att. § 24-433, 2-7-2011)

Sec. 14-477. Suspension of taxicab driver's licenses.

(a) The city clerk or designee shall suspend any taxicab driver's license when satisfied that the licensee:

(1) Knowingly took a longer route to his destination than was necessary unless so requested by the passenger.

(2) Knowingly conveyed any passenger to a place other than that which the passenger specified.

(3) Transported any person other than the passenger first engaging the taxicab without the express consent of such passenger.

(4) Harassed, threatened, or assaulted a passenger.

(5) Charged more than the maximum fare specified in this article.

(6) Failed to notify the clerk of any change of material fact set forth in the application for such license.

(7) Removed from the taxicab or obscured the notice required by this article.

(b) The suspension shall be for up to five days. In the event of a second or subsequent violation of these ordinances within a twelve month period, the city clerk or designee shall suspend the license of the taxicab driver for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.

(Ord. No. 38-02072011-05, att. § 24-434, 2-7-2011)

Secs. 14-478—14-499. Reserved.

DIVISION 4. OPERATION AND EQUIPMENT REQUIREMENTS

Sec. 14-500. List of taxicabs in active use.

Every taxicab business shall maintain an up-to-date list on file with the city clerk or designee containing its current business address and the make, model, serial number, and license plate number of each taxicab being operated by it and the garage or other terminal at which the vehicle will be located when not in service together

with such additional information regarding the operating condition of each taxicab as the police chief may reasonable require.

(Ord. No. 38-02072011-05, att. § 24-430, 2-7-2011)

Sec. 14-501. Equipment condition and maintenance.

Every taxicab operated on the streets of the city shall be maintained in clean and serviceable condition and adequate repair. Each taxicab shall have two doors affording direct entrance and exit to and from the passenger compartment. Clean and adequate repair shall mean, without limitation, the following:

(1) No visible tears in carpeting;

(2) No dents larger than six inches in diameter;

(3) No tears in seat upholstery;

(4) No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger;

(5) No missing trim or body work;

(6) No cracks in windshield or windows;

(7) Seat belts for all passenger seats visible and in working order;

(8) No missing hubcaps;

(9) No visible primer paint; and

(10) No rust greater than one inch in diameter.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-502. Vehicle lettering design.

The name of the owner of the taxicab shall appear on the exterior of the taxicab in letters not less than two inches in height. In additions, the business telephone number of the taxicab owner may be included together with an identifying design. ~~Any such design must first be approved by the police chief as not being confusing to customers or unnecessarily distracting to other motorists.~~

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

~~Sec. 14-503. Display of cards.~~

~~All licensed taxicabs shall have three cards of a size and form to be established by the police chief. These cards shall be placed or secured in a frame so that they may not be easily tampered with or destroyed. Each card shall show the license number assigned to the vehicle by the city clerk or designee and a statement that any customer complaint shall be directed to the police chief and shall include the license number of the taxicab, the schedule of the established rates of fares and zones, and the driver's identification card and number.~~

~~(Ord. No. 38-02072011-05, att. § 24-421, 2-7-2011)~~

Sec. 14-504. Number of passengers.

No driver shall permit more persons to be carried in the taxicab than the seating capacity of the cab.

(Ord. No. 38-02072011-05, att. § 24-422, 2-7-2011)

Sec. 14-505. Record of daily trips.

The owner of each licensed taxicab shall maintain daily records of trips made by the vehicle. These records shall be kept in a form and manner approved by the police chief and shall be open to inspection by any police officer delegated by the police chief.

(Ord. No. 38-02072011-05, att. § 24-423, 2-7-2011)

Sec. 14-506. Receipts for fares.

Every taxicab driver, when requested by a passenger, shall furnish a signed receipt showing the owner's name together with the date and amount of the fare charged.

(Ord. No. 38-02072011-05, att. § 24-424, 2-7-2011)

Sec. 14-507. Consent of passenger to additional fares.

No taxicab driver shall carry any person other than his initial passenger without first obtaining the first passenger's consent.

(Ord. No. 38-02072011-05, att. § 24-425, 2-7-2011)

Sec. 14-508. Rates and zones.

~~(a) The city council, on its own initiative, or on petitions of ten or more residents of the city, or two or more persons regularly operating taxicab businesses in the city, may revise the schedule of fares and definitions of the zones for such fares. The schedule of fares shall be established and the zones defined so as to protect the public interest while at the same time providing taxicab owners with a reasonable return on their investment.~~

~~(b) At least seven days before any action is taken by the city council at alter existing fares or change the description of zones, notice shall be given by publication in a daily newspaper having a general circulation in the city of the time and place of the meeting at which such action is proposed to be taken and of the fact that the city council will be considering a proposal to alter existing taxicab fares or zones. When the request for a change in rates or zone descriptions is initiated by one or more taxicab businesses, the applicants shall assume the expense of publishing the notice of the hearing.~~

~~(c) At the hearing, the city council shall consider any relevant evidence that is offered to show whether or not fares or zone descriptions should be altered.~~

~~(d) A schedule of the rates and zones currently in effect shall be kept on file in the office of the city clerk.~~

~~(Ord. No. 38-02072011-05, att. § 24-426, 2-7-2011)~~

A schedule of the rates and zones determined by the taxicab business must be submitted to the city clerk upon approval of a new license, the scheduled fee will be considered when approving the license. Established taxicab businesses must submit any revisions to the rates and zones 30 days before the revision goes into effect. The city council, on its own initiative, or on petitions of ten or more residents of the city may conduct a hearing regarding the schedule of fares and definitions of the zones for such fares. The city council has the authority, after a hearing, to determine if the revision is relevant and should be adjusted.

Secs. 14-509—14-529. Reserved.

Appendix A FEES AND CHARGES[1]

~~Taxicabs:~~

Taxicab business license ~~(police department inspection required)~~—annually ~~per cab~~: ~~55~~100.00

~~Taxicab driver's license (Lewiston permit required)—annually25.00~~

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Author: Phil Crowell, City Manager

Subject: Council Vision, Goals, and Goal Statements

Information: On November 8, 2021, the newly elected council members and mayor participated in a retreat to establish a vision and goals for the 2021 – 2023 term.

Attached is the document with the council vision and goals. This workshop is to focus on the development of the goal statements for each of the goals. Staff will then take the goal statements and create a strategy for the goals for the next two years. The process will include the SMART goal exercise used in the Strategic Plan. The goals will be Specific, Measurable, Assignable, Realistic, Time-based, Evaluated, and Reviewed.

As a starting point for the statement, the goal statements in the Strategic Plan have been brought into the goal that best aligns with the statement. The council will add language to complete the statements.

City Budgetary Impacts: None

Staff Recommended Action: Review and recommend goal statements

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Previous Meetings and History: November 8, 2021, Council Retreat

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

2021-2023 City Council Vision:

Auburn will embrace **possibilities** and create **opportunities**.

The City of Auburn & the Auburn City Council are committed to promoting diversity, equity and inclusion. Our municipal government understands that embracing equity is fundamental to Auburn's continued success. Our "equity lens" and core values of **compassion, empathy, collaboration, accountability, diversity, leadership and service** will be applied to all decision-making. This will lead to positive outcomes including: thriving people, a thriving economy and a thriving community.

2021-2023 City Council Vision & Goals | We will make our vision a reality by...

Planning for a better future

Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development. Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable, satisfying lifestyle. Recognize the value of historic, cultural, and artistic assets and activities in enriching lives and promoting community life. Support the development of future opportunities in culture and arts.

Enacting resilient solutions

Create, support, and market an accessible, connected, and diverse network of recreation and natural resources that provides both destinations and pathways for residents. Continue to improve access to training programs designed to address workforce gaps. Provide diverse, well-rounded education by partnering with available resources and businesses. Protect funding and support educators, facilities, and accessibility.

Reclaiming our streets

Develop clear identities for Auburn's downtown and industrials park that consider scale, connectivity, use and integrity to maximize their appeal. Invest in and maintain infrastructure necessary to provide a sustainable, safe, and livable environment.

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.

Making housing more attainable

Efficiently utilize current housing stocks and sustainable targeted residential development that supports and attracts growth, residents, and workforce.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022 **Orders:** 07-01182022 through 16-01182022

Author: Sue Clements-Dallaire, City Clerk

Subject: Board and Committee Appointments

The Appointment Committee met on January 12, 2022 to review applications and make their nominations for various boards and committees of the City as follows:

Planning Board – Brian Dubois, moving from associate to full member with a term expiration of 1-1-2025, Toni Ferraro as full member with a term expiration of 1-1-2024, Joshua Daigle as associate member with a term expiration of 1-1-2023.

Regulatory Advisory board – Kathy Shaw, term expiration of 6-1-2022.

Airport Board – James Timoney, term expiration of 1-1-2023.

9-1-1 Committee – Patricia Madore (re-appointment), term expiration of 1-1-2024.

Auburn Housing Authority – Jennifer Kimble (re-appointment), term expiration of 10-1-2025.

Age Friendly Committee – Tina Eugley, term expiration of 6-1-2023.

Agriculture Committee – Pam Rousseau, term expiration of 4-1-2024.

Public Safety Building Ad hoc Committee – David Gonyea, no term expiration

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City Budgetary Impacts: None

Staff Recommended Action: Motion to appoint members as recommended by the Appointment Committee.

Previous Meetings and History: The Appointment Committee met on January 12, 2022 to make their recommendations.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Vacancies, Application Spreadsheet, Applications, Orders

VACANCIES

911 Committee - 1 vacancy, term expiration January 1, 2024

Airport Board - 1 vacancy, term expiration January 1, /2023

Age Friendly Committee - 1 vacancy, term expiration June 1, 2023

Representatives from the Auburn Public Library, Area Agency on Aging, Seniors Plus, Lewiston Auburn Transit Committee, Auburn Housing Authority, community based senior organizations and the Auburn School Department are encouraged to apply to serve on the Age Friendly Community Committee.

Agriculture Committee - 1 vacancy, term expiration April 1, 2024

Auburn Housing Authority - 1 vacancy with a term expiration of October 1, 2025.

Audit Committee - 1 vacancy, term expiration December 31, 2021.

City Council Student Representative - 2 appointments.

Complete Streets Committee - 1 vacancy, term expiration January 1, 2025

Conservation Commission - 1 vacancy, term expiration June 1, 2024

Lewiston Auburn Transit Committee (LATC) - 1 vacancy with a term expiration of July 1, 2024.

Parks & Recreation Advisory Board - 1 vacancy, term expiration October 1, 2023.

Planning Board - 3 vacancies, two full member positions, one with a January 1, 2024 term expiration and one with a January 1, 2025 term expiration, one associate position with a term expiration January 1, 2023.

Registration Appeals Board Chair - 1 vacancy with a 4 year term.

Regulatory Advisory Board - 4 vacancies, term expirations are June 1, 2022, and June 1, 2024.

January 12, 2022
Applicant List

Board or Committee	Ward	Last Name	First Name	Address
9-1-1 Committee				
	2	*Madore	Patricia	49 Hampton Avenue
	3	Rider	Erik	132 Howe Street
Age Friendly Committee		Eugley	Tina	118 Country Club Drive
Agriculture Committee	1	Rousseau	Pam	745 West Auburn Road
Airport Board	2	Timoney	James	158 East Shore Road
	1	Ward	Vicki	60 Jackson Hill Road
Auburn Housing Authority				
	3	Kimble	Jennifer	71 Boulder Drive
Planning Board	2	Coleman	Daniel	2 Grove Street, #2
	1	Daigle	Joshua	103 Blackmer Street
	5	Ferraro	Toni	216 Cook Street
	5	Gray	Stanwood	1200 Sopers Mill Road
	2	Hayes	Robert	172 Allen Avenue
	3	Herrick	Daniel	470 Hatch Road
	3	Jacques	Paul	1685 Minot Avenue
	3	**Dubois	Brian	138 Fairview Avenue
	5	*Martelli	Stephen	41 Broad Street
Regulatory Advisory Board	5	Shaw	Kathleen	1200 Sopers Mill Road

* Indicates this applicant is seeking re-appointment

** Indicates this person is an associate/alternate member seeking full member status

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, November 29, 2021 6:20 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Patricia

Middle Initial: A.

Last Name: Mador

Residence Address: 49 Hampton Avenue

Ward: Ward 2

City: Auburn

Home Phone: 207 576-3330

Cell Phone: 2075763330

E-mail Address: mainelwyr@aol.com

Current Occupation: Assistant District Attorney, District 3

Previous Occupation (if retired or no longer working):

Education and/or experience: Bates College BA; Maine Law School JD; prosecutor since 1986.

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: 9-1-1 Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I bring a perspective to the Committee that few others have given my 35 years as a State prosecutor. In my position, I and others in my office interact with employees of 911 every day as they are usually the first point of contact for crime victims. I know how vital and important their work is and I understand how LA 911 interfaces with law enforcement, fire services, and the public. I believe this gives me a broad perspective on the important and essential services provided.

What do you hope to accomplish?: The current multiyear radio project is reaching the finish line and I would like to see that through. Additionally, with the City's plan to build a public safety building that will incorporate LA 911, I believe the board needs to draw on its experienced members to insure the best possible outcome for that project. Furthermore,

the current Director is retiring and a new director is expected to be hired in the near future. I am a member of the interview committee for that position.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Only 911

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: None

Dates served (if known):

How did you learn of this vacancy?: Was notified by City Clerk that my current appointment expires in 1/22 and if I wanted to continue to serve, I would have to reapply.

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Patricia A. Mador

Date of Electronic Signature: 11/29/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Saturday, December 4, 2021 5:15 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Erik

Middle Initial: C

Last Name: Rider

Residence Address: 132 Howe St

Ward: Ward 3

City: Auburn

Home Phone: 2076500987

Cell Phone: 2076500987

E-mail Address: chidad073174@outlook.com

Current Occupation: Reconciliation & Fulfillment Specialist

Previous Occupation (if retired or no longer working):

Education and/or experience: AAS in Health Information Management

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: 9-1-1 Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): As an amateur radio operator as well as a qualified radio watchstander in the Coast Guard, I have been involved with emergency communications and feel my insight will be helpful.

What do you hope to accomplish?: I would like to provide insight to the 911 system.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: City Website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Erik C Rider

Date of Electronic Signature: 12/4/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, December 30, 2021 10:42 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Pam

Middle Initial:

Last Name: Rousseau

Residence Address: 745 West Auburn Rd

Ward: Ward 1

City: Auburn

Home Phone: 207-754-6930

Cell Phone: 207-754-6930

E-mail Address: drrpbr@hotmail.com

Current Occupation: AHS admin assistant

Previous Occupation (if retired or no longer working): retired physics teacher

Education and/or experience: BS Earth Science, Ultrasound Tech

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Agriculture Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have lived in Auburn longer than I have lived anywhere. It is my home and has become my transplanted deep roots. I am a gardener/farmer and forager, I grow my own food and "can" it. I know the importance of the resources we have. I want to protect them.
Our food sources come from farms. Local farms support our economy, but also feed us.
Forestry isn't what I thought it was 23 years ago .The ice storm of 1998 was my epiphany. I used to think no tree should be cut. I never understood forest management as I do today.
I want to be part of insuring the protection of our resources. I want to work at protecting the Ag Land for farming, foresting, and for what is to come.

What do you hope to accomplish?: I think the Ag committee has done a great job. I would like to continue the mission. I think it is important for people to get involved so it isn't the same people all the time. The teacher in me wants to make sure everyone else knows the importance.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: no

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: no

Dates served (if known):

How did you learn of this vacancy?: Asking how to get involved and got answers.

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Pamela Rousseau

Date of Electronic Signature: December 30, 2021

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 9-14-21

Last name: WARD First name: Vicki Middle initial: ____

Residence address: 60 Jackson Hill Rd Ward: 1

City: Auburn State: ME Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 212-1341

Email address: vicki.ward@jfmh.org

Current occupation: HR Manager

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): See resume

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Age Friendly Committee
___ Agriculture Committee
✓ Airport Board
___ Auburn Housing Authority
___ Audit Committee
___ Cable TV Advisory Board
___ CDBG Loan Committee
___ Citizen's Advisory Committee
___ Community Forest Board
___ Conservation Commission
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Regulatory Advisory Board
___ Sewer District
___ Water District
___ Other _____

Is this application for a ✓ new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). See attached

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). See attached

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? no

Dates served (if known)? _____

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

Auburn Suburban Little League

Dates served (if known)? 2/2020 - 6/2021

How did you learn of this vacancy? Airport Board members

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Vicki Ward Date: 9-14-21

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 9/15/2021
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Vicki Ward

60 Jackson Hill Rd. Auburn. ME. 207-212-1341

limafinope@gmail.com

Solution focused, creative thinker willing and able to collaborate, engage and communicate with others towards common goals. Proven leadership skills. Ability to listen, assess and resolve issues and concerns of others. Committed to supporting and improving the growth of the Auburn-Lewiston Airport.

Experience

Skyward Aviation, Inc., Auburn Maine June 1993 – Present

Bookkeeper

- Responsible for accounts payable and receivable. Provide support as needed.
- Interact with aviation community

John F Murphy Homes, Inc., Auburn Maine February 1996 – Present

Human Resources Manager

- Responsible for ensuring compliance with all Federal, State and company specific regulations for over 880 employees.
- Manage workers' compensation program and auto, liability and unemployment claims.
- Organize and analyze data using HRIS system. Determine areas of success and those that need attention.
- Interface effectively with Senior Management providing detailed and current HR and employee information.
- Develop programs to build staff morale and enhance relations between staff and leadership.
- Assist in recruiting, interviewing and selecting candidates for job vacancies.
- Coordinate and plan annual employee awards banquet for over 300 people.

United Parcel Service, Auburn Maine March 1987 – October 1995

Preload and Training Supervisor,

- Responsible for daily dispatch of 30 vehicles maintaining maximum efficient delivery performance.
- Supervised and trained 20 employees on safe and proper work methods.
- Conducted employee evaluations and job performances.
- Filed necessary reports required by OSHA, EPA and DOT.

Customer Service Representative and Administrative Assistant

- Worked directly with the Center Manager on various projects.
- Trained support personnel on computer software and customer services.
- Resolved customer complaints.
- Tracked package revenue.
- Tracked fuel consumption and mileage for entire fleet.

Saudi Arabian American School, Taif, Saudi Arabia October 1983 – May 1985

Librarian's Assistant and Teacher's Aide – Elementary School

- Designed, implemented and maintained computerized system for library's inventory.
- Assisted teachers as needed.
- Coached girl's junior high volleyball team.

Education

AAS Occupational Health & Safety, CMTC May 1995

BA Natural and Applied Science, University of Southern Maine May 2004

Briefly describe why you want to serve on this committee.....

I have lived in Auburn for over 35 years, and really treasure this community and all it has to offer. My first experience flying into Auburn was on a Bar Harbor commuter flight from Boston to Auburn....it was the shortest runway I'd ever seen. Fern Giguere was the general manager, who came out to the plane, helped us with our luggage, and told us that he had just put another log in the woodstove – welcome to Auburn, Maine!

I'm not a pilot, but I have pilot friends who know my interest in bringing the airport to the busy airpark it once was, and who've encouraged me to apply for a seat on the Airport Board. I think the Airport is under-appreciated, and underutilized, by both aviation enthusiasts and the local community population, and I'd like to help change this.

What do you hope to accomplish.....

I think the Airport has a lot of untapped potential. With the right management, the airport could see some great growth. It has been a while since I've heard the local aviation community so enthusiastic about the possibilities for the airport. I want to support their enthusiasm, which I think I can do as a Board member. I have over 30 years of management and problem solving skills, leadership training, and experience working with diverse groups of individuals. I also want to see more community involvement. There's so much going on locally, it would be great for the Airport to be part of all that's happening.

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 12/2/2021

Last name: Timoney First name: James Middle initial: M

Residence address: 158 E. Shore Rd Ward: 2

City: Auburn State: ME Zip code: 04210

Home phone: 207 777 5395 Work phone: 207 783 1328 Cell phone: 207 576 5943

Email address: JTORTHO @ AOL.COM

Current occupation: Physician

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): DO, MS Biomed Engineering

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Age Friendly Committee
___ Agriculture Committee
_X_ Airport Board
___ Auburn Housing Authority
___ Audit Committee
___ Cable TV Advisory Board
___ CDBG Loan Committee
___ Citizen's Advisory Committee
___ Community Forest Board
___ Conservation Commission
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Regulatory Advisory Board
___ Sewer District
___ Water District
___ Other _____

Is this application for a ☒ new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). PILOT BASED @ KLEW

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). THIS WAS ONCE A VIBRANT AIRPORT. I WOULD TO Restore this VALUABLE COMMUNITY Resource. I WOULD ALSO help Represent the "User" View Point

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? No

Dates served (if known)? ___

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

___

Dates served (if known)? ___

How did you learn of this vacancy? Attending PILOT & Board Meeting

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.
Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!
I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.
Signature: James Timony Date: 12/2/2021

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: Dec. 3, 2021
APPOINTMENT DATE: ___
TERM EXPIRATION DATE: ___
OATH DATE: ___

James M. Timoney, DO
Curriculum Vitae

Current Position
Central Maine Healthcare Orthopedics – Orthopedic Surgeon
690 Minot Avenue, Suite One
Auburn, ME 04210
T. 207.783.1328 E. timoneja@cmhc.org

Former Positions
- Central Maine Orthopaedics, PA – Medical Director, Ambulatory Clinic
- St. Mary's Regional Medical Center – Clinical Practice Committee
- Central Maine Medical Center - Chief of Surgery
- Central Maine Medical Center – Chief of Orthopaedics
- University of New England College of Osteopathic Medicine – Teaching Assistant
- Maine Medical Association – Quality Assurance Committee
- Naval Hospital, Great Lakes, Illinois - Department Head, Orthopaedics

Education
- **College:** Rutgers College of Engineering, BS Mechanical Engineering
- **Graduate School:** Rutgers University, MS Biomedical Engineering
- **Medical School:** University of New England College of Osteopathic Medicine, Doctor of Osteopathy
- **Internship:** Naval Hospital, Oakland
- **Residency:** Naval Hospital, Oakland, Orthopaedic Surgery

Licensure
- California and Maine

Board Certifications
- American Board of Orthopaedic Surgery

Military Service
- Commissioned - 1979
- Promoted LI - 1983
- Augmented to USN - 1987
- Promoted to LCDR – 1988
- NMCB 133, General Medical Office - 1984–1985
- Naval Hospital - Oakland, Emergency Room Staff - 1985–1987

Awards
- Naval Hospital Residents Research Award - 1989
  Orthopaedics Department

Research

- *Arthroscopic Debridement of the Osteoarthriric Knee: Long-Term Follow-up*
  Timoney J. Kneisi; J. Barrack; R. Alexander AH

  Presented at: Society of Military Orthopaedic Surgeons, San Antonia, Texas, 1989
  American Academy of Orthopaedic Surgeons, 1990 Annual Meeting
  American Orthopaedic Association, 1990 Residents Conference

Publications

- *Arthroscopy in the Osteoarthritic Knee: A Long-Term Follow-Up*
  Timoney J. Kneisi; J. Barrack RL and Alexander AH
  Orthopaedic Review 9(4):371-379, April 1990

- *Gait Analysis After Anterior Cruciate Ligament Reconstruction*
  Timoney J. Quesada; P. Sharkey; P. Skinner HB; Alexander AH
  Accepted for *American Journal of Sports Medicine*

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, November 29, 2021 1:00 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Jennifer

Middle Initial:

Last Name: Kimble

Residence Address: 71 Boulder Drive

Ward: Ward 3

City: Auburn

Home Phone: 2077832420

Cell Phone: 20780720358

E-mail Address: jennyberg@hotmail.com

Current Occupation: Department Director

Previous Occupation (if retired or no longer working):

Education and/or experience: MS, Rehabilitation Counseling, previous AHA resident

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Auburn Housing Authority Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): To give back to my community and provide support and perspective to the board from both a personal and professional lens. As a child, I lived in Family Development for several years, I worked in subsidized housing in Boston for three years, and my current employment involves services delivered to individuals who commonly live in subsidized housing.

What do you hope to accomplish?: See above. Offer a perspective from the lens of a current leader/manager in the nonprofit/gov't contractor world, provide support to the board and AHA management in any way possible.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: yes - AHA board term expired in October

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: yes - AHA board term expired in October

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Jennifer N. Kimble

Date of Electronic Signature: 11/29/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, December 27, 2021 5:39 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Joshua

Middle Initial: B

Last Name: Daigle

Residence Address: 103 Blackmer St.

Ward: Ward 1

City: Auburn

Home Phone: N/A

Cell Phone: 2074911695

E-mail Address: joshuabdaigle@gmail.com

Current Occupation: Professional Firefighter/EMT; Wildand Firefighter

Previous Occupation (if retired or no longer working):

Education and/or experience: Fire Science & Technology Associate's Degree, Phi Theta Kappa Honor Society member

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I wish to serve on the planning board to assist in further advancing Auburn?s success in growth and development. I would be able to help the team ensure smart growth within the city and the broader community. Auburn has been a model for other cities by adding housing, readdressing zoning, simplifying permits and regulations, so it would be a great honor to be apart of the continued growth and to create a new vision for the future of the city that is centered around increasing the prosperity of every resident.

What do you hope to accomplish?: As part of a dedicated team, I could help take Auburn to another level of achievements by reaching current goals while establishing new ambitions for the future. I understand the importance of economic sustainability for the community, and how crucial development and strategic planning are for setting the stage

for sustained prosperity. It is my goal to help polish and improve the environment that will attract businesses, residents and continue to develop Auburn for future success.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Complete Streets Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Currently serving

Dates served (if known): October 2020-Present

How did you learn of this vacancy?: City Facebook Page

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Joshua Daigle

Date of Electronic Signature: 12/27/21

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, December 27, 2021 6:01 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Joshua

Middle Initial: B

Last Name: Daigle

Residence Address: 103 Blackmer St

Ward: Ward 1

City: Auburn

Home Phone: N/A

Cell Phone: 207-491-1695

E-mail Address: joshuabdaigle@gmail.com

Current Occupation: Professional Firefighter/EMT ;WIldland Firefighter

Previous Occupation (if retired or no longer working):

Education and/or experience: Fire Science and Technology Associate's Degree

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Complete Streets Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have served a year on the complete streets committee and have found passion in working with the team to help promote and develop multi modal-forms of transportation ways that best serve the city's visitors and residents.

What do you hope to accomplish?: I hope to remain serving to the best of my abilities by continuing to better the City of Lewiston and City of Auburn. I would do this by working to fix transportation problems, supporting other modes of transportation, review projects, etc, to better both cities and create a better system for all.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Complete Streets

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Currently Serving

Dates served (if known): October 2020- Present

How did you learn of this vacancy?: Term Expiration

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Joshua Daigle

Date of Electronic Signature: 12/27/21

Susan Clements-Dallaire

From: Joshua Daigle <joshuabdaigle@gmail.com>
Sent: Monday, December 27, 2021 8:45 PM
To: Susan Clements-Dallaire
Subject: Re: Complete Streets Committee
Attachments: Planning Board PDF.pdf

Hi Sue,

I just submitted two applications online I am just checking to make sure you received them. I would like to move from the complete streets committee to the planning board so I submitted an application in for that. In case I don't happen to get the planning board I did put in an application for re-appointment to the complete streets. However I only have time for one board/committee so in the event I was appointed to both, I would plan to accept the planning board and resign from the complete streets committee. Sorry in advance for the confusion, I just didn't know how to pass that information along. Attached is a resume for the planning board. Thank you!,

Joshua Daigle

On Nov 29, 2021, at 4:33 PM, Susan Clements-Dallaire <sdallaire@auburnmaine.gov> wrote:

Good afternoon, Joshua,

I wanted to notify you that your term on the Complete Streets Committee is due to expire on January 1, 2022. If you would like to be considered for re-appointment, please submit an application to me.

Below is the link to our website where you can either submit an application electronically, or you can print a copy and submit a hard copy if you would like to be considered to serve another term.

The deadline to submit your application is Friday, December 31st.

https://www.auburnmaine.gov/pages/government/boards-and-committees

Thank you for serving your community!

Sue

JOSHUA B. DAIGLE

103 Blackmer Street Auburn, Maine 04210
(207)491-1695
joshuabdaigle@gmail.com

Objective
My objective is to be granted the opportunity to be appointed to the City of Auburn's planning board, to assist in further advancing Auburn's success in growth, and development.

Education
Spruce Mountain High School Jay, Maine Class of 2014-High School Diploma
Southern Maine Community College Fire Science Graduate-A.S. Degree - Class of 2016
PHI THETA KAPPA Honor Society Member

Employment
Lewiston Fire Department, Firefighter/EMT, June-2016 - Present
Scarborough Fire Department, Firefighter/EMT, August 2015-Present
Maine Forest Service, Wildland Firefighter- April 2016- Present

Certifications
Firefighter I & II, Pro-Board, July 2013
EVOC/AVOC August, 2014
Pumps I September, 2014
Ice Water Rescue Technician March, 2015
State of Maine EMT Basic June, 2015
Hazardous Materials Technician February, 2016
Fire Instructor I & II , Pro-Board, June 2021
NIMS, 100, 200, 700, 701, 703, 704, 800.
Wildland Firefighter Type II (S-130/S-190) January, 2015
Wildland Firefighter Engine Operator September, 2020
Wildland Firefighter Type I (Squad Boss) July, 2021

Awards
Highest GPA Fire Science Class of 2016
Fire Science Mission Model Award-2016
Boy Scouts of America: Eagle Scout, March 2013

Volunteerism & Leadership
City of Lewiston & Auburn Complete Streets Committee- Committee Member, October 2020-Present
Local 785 Union Trustee June 2021- Present
Local 785 Engine 5 Representative August 2021- November 2021 (Transferred to Central)
Local 785 Roster System Guidelines Ad Hoc Committee - July 2021- November 2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, November 17, 2021 3:25 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Toni

Middle Initial: J

Last Name: Ferraro

Residence Address: 216 Cook st

Ward: Ward 5

City: Auburn

Home Phone: 2075146006

Cell Phone: 2075146006

E-mail Address: tonijferraro@gmail.com

Current Occupation: Real Estate Agent/Broker

Previous Occupation (if retired or no longer working):

Education and/or experience: I have been an Auburn resident 15 years, I would like to be involved in the community

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): As a local Realtor I would love to be involved with the planning and what goes on in the city!

What do you hope to accomplish?: I would like to learn more than accomplish something. I love how the city is making it safer and I love that there is some not great areas being revamped. I have experience with people and want the city to grow.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Stacey Leblanc and Jason asked if I would be interested

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Toni Ferraro

Date of Electronic Signature: 11/17/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Friday, December 10, 2021 5:44 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Stanwood

Middle Initial: J

Last Name: Gray

Residence Address: 1200 Sopers Mill Rd

Ward: Ward 5

City: Auburn

Home Phone: 2076156957

Cell Phone: 207 615-6957

E-mail Address: stanwoodgray@gmail.com

Current Occupation: Carpenter/Farmer

Previous Occupation (if retired or no longer working):

Education and/or experience: 3 years college

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I would like to help move this city forward with regard to housing/development. I have been extremely involved in Auburn governmental activities for more than 15 years and am familiar with most of the plans and initiatives explored during those years.

What do you hope to accomplish?: promote sustainable growth in Auburn

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Agriculture Committee, Complete Streets Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: ATRC, Great Falls TV, City Council

Dates served (if known):

How did you learn of this vacancy?: I knew two board members won seats on the city council thus at least two openings

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Stanwood J Gray

Date of Electronic Signature: 12/10/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, January 5, 2022 8:45 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Robert (Bob)

Middle Initial:

Last Name: Hayes

Residence Address: 172 Allen Ave.

Ward: Ward 2

City: Auburn

Home Phone: 2077821386

Cell Phone: 2072323903

E-mail Address: jlhayes1868@yahoo.com

Current Occupation: retired

Previous Occupation (if retired or no longer working): small business management: J L Hayes Co.

Education and/or experience: ELHS, Union College (N.Y.), USM, USN Supply School / USNavy, E.C. Jordan Co.,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): Having served as a Planning Board member and as a Counselor for over a period of 23 years, I would like to actively reengage in discussions and decisions that impact Auburn's future.

What do you hope to accomplish?: Through thoughtful and respectful discussion, I would hope to provide some reflective balance to past, current and futuristic thinking as it impacts planning, policy, programs and local legislation.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Planning Board, Council, Railroad Company, Airport Board, BAR

Dates served (if known): P.B. (77-90), Council (05-15,18-19)

How did you learn of this vacancy?: City Site

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Robert P Hayes

Date of Electronic Signature: 1/5/2022

auburnmaine.gov

DEC 14 2021

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 12-13-2021

Last name: Herrick First name: Daniel Middle initial: R

Residence address: 470 Hatch Rd Ward: 3

City: Auburn State: State Zip code: _____

Home phone: 576-7802 Work phone: Same Cell phone: Same

Email address: Marie.Herrick1962@Gmail.com

Current occupation: Construction Farmer

Previous occupation (if retired or no longer working): —

Educational and/or experience (or attach your resume): over 40 years Constr. HS Grad

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
X Planning Board
___ St. Louis Bells Committee
X Zoning Board of Appeals
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
___ Sewer District
___ Water District

Is this application for a X new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). With over 40 years in the Building Trade and Feeding the world as Farmers Do. I'd like to see this City continue to Grow

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). I'd like to see more Productive ways to grow and let young People leaving High school Stay and want To Stay in Auburn

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? no

Dates served (if known)? _____

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

yes Councilor For 2 Terms and ag Committee

Dates served (if known)? _____

How did you learn of this vacancy? City Employee

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: David R Welch Date: 12-13-2021

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 12-14-2021
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, January 6, 2022 10:27 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Paul

Middle Initial: D

Last Name: Jacques

Residence Address: 1685 Minot Ave

Ward: Ward 3

City: Auburn

Home Phone: 2077499556

Cell Phone: 2077499556

E-mail Address: snowbirdut69@gmail.com

Current Occupation: Teacher

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors in economics and experience in the field and a Master of Education

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I?d like to be more involved in the economic development of and planning for sustainable growth in Auburn. I attended and contributed to the meetings of the complete streets committee in Lewiston and Auburn and on a similar committee in Windham.

What do you hope to accomplish?: Meet the the needs of Auburn?s citizens.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Auburn

Dates served (if known):

How did you learn of this vacancy?: Planning Board member

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Paul Jacques

Date of Electronic Signature: 01/06/22

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, January 6, 2022 5:09 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Brian

Middle Initial: J

Last Name: DuBois

Residence Address: 138 Fairview Ave

Ward: Ward 3

City: Auburn

Home Phone: 207-333-9019

Cell Phone: 2073339019

E-mail Address: brian@duboisrealtygroup.net

Current Occupation: Real Estate Broker

Previous Occupation (if retired or no longer working):

Education and/or experience: BS Business Management - Bentley University

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Desire to move from an alternate/associate to full member

Briefly describe why you want to serve on a board/committee (1,000 character limit): Currently serving as an Associate Member, feeling as though I'm contributing to the process while learning. As a real estate professional, this role within the community provides both personal and professional growth opportunities.

What do you hope to accomplish?: To provide unique insight to the board from the perspective of a real estate professional and a vested member of the community.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Yes, the Planning Board as an Associate Membeer

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Not before this current role

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Brian J DuBois

Date of Electronic Signature: 1/6/2022

auburnmaine.gov

DEC 14 2021

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 12.14.2021

Last name: MARTELLI First name: STEPHEN Middle initial: J

Residence address: 41 BROAD ST #2 Ward: 5

City: AUBURN State: ME Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 207.440.7883

Email address: SJMARTELLI2186@GMAIL.COM

Current occupation: RETIRED

Previous occupation (if retired or no longer working): WELDING INSPECTOR, IRON WORKER

Educational and/or experience (or attach your resume): H.S., SOME COLLEGE, MANY WORK SEMINARS

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
X Planning Board
___ St. Louis Bells Committee
___ Zoning Board of Appeals
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
___ Sewer District
___ Water District

Is this application for a ___ new appointment or _X_ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I HAVE BEEN ON THE BOARD FOR THE PAST 4 YEARS AND WANT TO CONTINUE TO SERVE MY CITY.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). TO IMPROVE MY CITY FOR FUTURE GENERATIONS.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? PRESENTLY ON PLANNING BOARD.

Dates served (if known)? 1-18? — PRESENT

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

— PLANNING BOARD, COMP PLAN, STRATEGIC PLAN ALSO NEW AUBURN MASTER PLAN

Dates served (if known)? ?. 9/08 — 4/10

How did you learn of this vacancy? SUE TOLD ME.

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: D.J. Marshall Date: Dec. 14, 2021

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 12/14/2021
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, January 12, 2022 10:42 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Daniel

Middle Initial: J

Last Name: Coleman

Residence Address: 2 Grove St, Apt 2

Ward: Ward 2

City: Auburn

Home Phone: 2072128771

Cell Phone: 2072128771

E-mail Address: dancol3man@gmail.com

Current Occupation: Realtor

Previous Occupation (if retired or no longer working): N/A

Education and/or experience: Associate Degree (CMCC)

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): As a member of the community with 2 young daughters in the school system this would help me have a voice in the community. Being in the real estate business. I own a multi unit building and plan to own more in the future.
I also deal with buyers, sellers in residential and commercial real estate for new businesses and leases looking to enter the City of Auburn for their business.

What do you hope to accomplish?: Keep in tune with the future of Auburn along with the growth and direction of the city.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known): N/A

How did you learn of this vacancy?: Joe Morin

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Daniel J. Coleman

Date of Electronic Signature: 1/12/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, January 3, 2022 8:09 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Kathleen

Middle Initial: A

Last Name: Shaw

Residence Address: 1200 Sopers Mill road

Ward: Ward 5

City: Auburn

Home Phone: 207-320-1969

Cell Phone: 207-320-1969

E-mail Address: Kath@valleyviewfarm.me

Current Occupation: Self employed, farmer

Previous Occupation (if retired or no longer working):

Education and/or experience: USM leadership institute graduate, supervisor for Soil and Water conservation district, president of farmers market association,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Regulatory Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am interested in learning and participating in the regulatory commission, , I believe that citizen involvement makes a more effective,livable and dynamic city that offers opportunity for growth.

What do you hope to accomplish?: I would like to see a well rounded committee that functions as an advocate for our community and businesses

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Chair or Agricultural Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Mayor?s AG-ARP committee

Dates served (if known): 2020

How did you learn of this vacancy?: Mayor?s letter to the conservation Chair and Ag committee chair

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Kathleen shaw

Date of Electronic Signature: January 3 2022

auburnmaine.gov

JAN 12 2022

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 1/6/2022

Last name: Eugley First name: Tina Middle initial: A

Residence address: 118 Country Club Drive Ward: _____

City: AUBURN State: ME Zip code: 04210

Home phone: N/A Work phone: N/A Cell phone: (207) 577-2704

Email address: eugley64@gmail.com

Current occupation: Not working

Previous occupation (if retired or no longer working): Office Manager

Educational and/or experience (or attach your resume): See resume

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
X Age Friendly Committee
___ Agriculture Committee
___ Airport Board
___ Auburn Housing Authority
___ Audit Committee
___ Cable TV Advisory Board
___ CDBG Loan Committee
___ Citizen's Advisory Committee
___ Community Forest Board
___ Conservation Commission
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Regulatory Advisory Board
___ Sewer District
___ Water District
___ Other _____

Is this application for a ✓ new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I currently help them at events when needed.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). Continue to be of service where/when needed.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? NO

Dates served (if known)? _____

Have you previously served on a City or Community Board or Committee? If so, which one(s)? NO

Dates served (if known)? _____

How did you learn of this vacancy? Not Sure if any vacancies At this time

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Tina A. Eagley Date: 1/6/2022

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: _____
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Tina A Eugley

118 Country Club Drive
Auburn, ME 04210
Phone 207-577-2704

Experience

March 2006 to July 2014 **Morong Falmouth VW Automobile Dealership** **Falmouth, ME**

Office Manager

- Daily business functions in a office atmosphere
- Phone reception & cashier duties
- Reconcile different accounts
- End of month accounting procedures
- Human Resources Duties and new employee set ups
- Payroll processing
- Bank statement reconcile
- Notary Public
- Assisted other departments as needed
- Account payables and receivables experience

August 2001 to March 2006 **Emerson Toyota** **Auburn, ME**

Financial Services Manager until August 2005 then went to a Billing Clerk/Title Clerk Position

- Selling of products such as extended warranties, Gap insurance and other products that are available to the customer
- Doing loan applications for car loans for customers
- Do the paperwork involved with the car deliveries & sorting them for processing
- Research automobile title problems
- Work with several different lending sources
- Cashier & Telephone Support with other office functions
- Assist sales department with customers

November 2000 to August 2001 **Banknorth Group** **Lewiston, ME**

Lead Unit Settlement Clerk

- Do Cash Advances for several banks with Banknorth
- Balance different GL's & DDA's
- Oversee 4 employee's in my group

July 1983 to November 2000 **Louis Chevrolet Inc** **Auburn, ME**

Title / Billing Clerk

- Title Clerk for Automobiles sold and traded in.
- In charge of documents being sent to finance resources.
- Assistant Office Manager
- Take care of Accounts Receivables.
- Back up for Payroll Processing.
- Customer Service

1980-1983 **High School Part-Time Jobs** **Auburn, ME**

- Clover Manor as a Nurses Aide.
- Sim's Restaurant as a Waitress

Education

Graduated 1982 **Edward Little High School** **Auburn, ME**

- Business Courses were taken at ELHS
- 1995 Reynolds & Reynolds Forms Programming
- January 2000 CMTC EMT Basic Certificate received
- July 2015 Passed class and exam for Personal Support Specialist

Volunteer Activities

- May 1999 joined Poland Rescue as Driver
- April 2000 became Maine Licensed EMT for Poland Rescue
- June 2000 elected Secretary for Poland Rescue
- United Way Campaign Manager at Louis Chevy for 10 plus years
- February 2003 joined American Red Cross on Disaster Services Team for Androscoggin County and in 2005 became the Volunteer Coordinator for them
- October 2014 to current Androscoggin Home Care & Hospice helped in the volunteer office and did home visits
- January 2015 to March 2018 Central Maine Medical Center helping in different areas as needed and also did runner duties

Still hold a valid Notary Public with the state of Maine
I have been helping at the Senior Center when needed with different things that might come up, Jamie Longley is my contact.

References

Available on request

auburnmaine.gov

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 9/23/21

Last name: Gonyea First name: David Middle initial: M

Residence address: 1250 Turner ST Ward: 1

City: Auburn State: ME Zip code: 04210

Home phone: _____ Work phone: 755-5251 Cell phone 671-7873

Email address: dgonyea@cmcc.edu

Current occupation: CM

Previous occupation (if retired or no longer working): —

Educational and/or experience (or attach your resume): Associate Degree USM

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Age Friendly Committee
___ Agriculture Committee
___ Airport Board
___ Auburn Housing Authority
___ Audit Committee
___ Cable TV Advisory Board
___ CDBG Loan Committee
___ Citizen's Advisory Committee
___ Community Forest Board
___ Conservation Commission
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Regulatory Advisory Board
___ Sewer District
___ Water District
___ Other Public Safety Building Committee

Is this application for a ✓ new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less Please attach additional sheet if needed) every citizen should Give Back to its city

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed) Assist with any skill, I have

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? ✓

Dates served (if known)? ✓

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

Recreation Com, Hm

Dates served (if known)? ?

How did you learn of this vacancy? _____

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant or as great as it is On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: _____ Date: 9/23/21

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 9/23/2021
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

ORDER 07-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 08-01182022

City Council Order

IN CITY COUNCIL

ORDERED, ORDERED, that the City Council hereby appoints Toni Ferraro to the Planning Board as a full member with a term expiration of 1-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 09-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 10-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 11-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints James Timoney to the Auburn-Lewiston Airport Board with a term expiration of 1-1-2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 12-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Patricia Madore to the 9-1-1 Committee with a term expiration of 1-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 13-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Jennifer Kimble to the Auburn Housing Authority Board of Commissioners with a term expiration of 10-01-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 14-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Tina Eugley to the Age Friendly Committee with a term expiration of 6-1-2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 15-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Pam Rousseau to the Agriculture Committee with a term expiration of 4-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 16-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints David Gonyea to the Public Safety Building Ad hoc Committee.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING JANUARY 3, 2022 VOL. 36 PAGE 207

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

Pledge of Allegiance

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

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

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

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

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

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

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

Passage 6-0.

II. Minutes – December 20, 2021 Regular Council Meeting

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

Passage 6-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

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

V. **Unfinished Business** - None

VI. **New Business**

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

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

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

Public comment – No one from the public spoke.

Passage 6-0.

1. **Order 05-01032022**
Directing staff to forward proposed zone changes to the Planning Board for consideration and review pursuant to Chapter 60, Article XVII Division 2 of City Ordinances.

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

Public comment – no one from the public spoke.

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

Passage 6-0.

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

2. **Ordinance 01-01032022**
Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

3. **Ordinance 02-01032022**
Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

4. **Order 06-01032022**
Amending the Board and Committee Appointment Policy as recommended by staff.

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

Public comment – No one from the public spoke.

Passage 6-0.

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

VIII. Reports (from sub-committees to Council)

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

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

Councilor Walker provided an update on Maine Waste to Energy.

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

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

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

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

Passage 6-0, time 7:40 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 1/18/2022

Author: Chief Robert Chase

Subject: Fire Department Overview and EMS status Update

Information:
The Fire Department responded to 5,790 calls for service in 2021. That is an increase of approximately 17% over 2020. Historically, 80% of the department call volume is Rescue/EMS related calls which includes not only EMS, but also motor vehicle accidents and other types of technical rescues.

EMS responses resulted in 4,409 calls for service in 2021, resulting in 3,411 patient transports. This equates to a 16.6% increase in patient transports from 2020 levels.

The department continues to address challenges associated with the COVID-19 Pandemic, as the healthcare system's current issues in turn, impact us. During COVID, patients have been far less likely to seek care from primary care physicians, and PCP offices are less likely to see patients in the office. Patients then either call the ambulance to be seen in the ER, or their medical condition worsens to a point where ambulance transport is necessary. Urgent Care facilities are unable or are unwilling to treat COVID positive patients and as a result, they call the ambulance for transport. Hospitals struggle to staff medical floors. When patients are ready for discharge, nursing homes struggle with staffing challenges and restrictions - leading to back-ups in the hospitals. Patients remain in the emergency department rather than going to the appropriate floor, so when EMS arrives in the ER, flow is significantly delayed as the all-time low staffing now tries to manage an all-time high patient population. This forces hospitals to transfer patients to facilities they wouldn't otherwise employ…such as one local hospital transferring patients to Connecticut (as described in recent Maine EMS meetings) and as companies like United try to keep up with longer distance and higher volume transfers, their primary coverage area suffers, requiring surrounding services to cover (IE: AFD assisted with an emergent interfacility transfer from Bridgton to CMMC due to extreme limited resources statewide).

All these factors create increased demands on our staff. Like most of Maine, the challenges from COVID have resulted in recruitment and staffing issues for the Fire Department. Vacancies in our organization have been ongoing throughout the Pandemic, and only add to the strain on the remaining employees. These are system-wide problems and have to be address collaboratively with our partners. We are working in cooperation with the hospital systems, the State of Maine, and our partner EMS agencies in our region to navigate these difficult times.

City Budgetary Impacts: N/A

Staff Recommended Action: Communication

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

Dear Auburn City Council,

As we begin 2022 the Agriculture Committee would like to respectfully present an update on our activities and efforts to promote sustainable agriculture and forestry practices in the city of Auburn. We appreciate the efforts of all our members recognizing the lifetime commitment that our board members bring to the table. The nine active members of the committee have collectively amassed more than 280 years in agriculture and forestry. Further, by our charter it is an important component of membership in our committee that members be able to demonstrate their commitment and involvement in activities relating to local foods, farm, and forest products.

As of January 2022, our current members are Katie Boss (former chair), William Sylvester, Christopher Carson, David Griswold (recording secretary), Stanwood Gray, David Bell, Ed Michaud, and Kathy Shaw (current chair). We gratefully acknowledge the contributions of our departing members, Scott Blanchard and Michelle Melaragno for their collective efforts on our committee.

Additionally, we appreciate the liaison efforts between city staff and our members through Jay Brenchick. Jay has offered zoom links, some printing as needed and thoughtful advice in city policy.

In an ongoing effort to promote a sustainable agricultural and forestry culture in Auburn, we have initiated actions on the following items:

Public meeting with City Assessor Karen Scammon.

Karen presented at a public meeting to help our board members and members of the attending public understand the various methods and means available to preserve and protect agricultural and forest land through state tax incentive programs.

Story Walk presentation

Our committee worked on and collaborated with the Conservation Committee to present a vibrant and thoughtful story walk to help visitors understand some of the challenges facing our city in our efforts to be self-sustaining in woodlot production, local foods, invasive species and conserving and preserving our natural resources.

Local Farm Snapshot tour

The committee organized a diverse three farm tour in South Auburn in October featuring:

Bell Farm - a large, multi-generation farm specializing in potato and corn growing. The tour included the caves and processing facilities that have been incorporated to support their operation.

The Farmers Garden at Caron Farm - another multi-generational farm that specializes in creative small plot vegetable production offering a diversity in vegetable crops of high quality. This operation

specializes in hot peppers that they process into a tangy powder to add to various types of culinary dishes.

Compassionate Composting
Michelle Melaragno guided attendees through her newly expanded large and small animal composting facility - one of only 2 in the state that successfully composts large animals, turning those remains into an eco-friendly garden compost for home gardens.

Public presentation by Eric Cousens on proposed Strip Zoning changes.
Eric gave a presentation to public attending members and the Agriculture Committee concerning a proposal to expand lot depth from 450 feet to 750 feet along rural roads in the Agricultural and Resource Protection Zone in Auburn. After his presentation Eric asked for feedback and comments from all attending.

Outreach by Katie Boss to Auburn School Meals Program
Katie contacted the Auburn School Department food procurement staff to discuss their needs and initiate a conversation to begin the process of incorporating local foods into their school meals menus.

Tour of the L/A composting facility on Penley Corner Road.
Agriculture Committee members toured the LAWPCA Compost Facility and entered into a discussion with the plant manager about the possibility of turning that facility into a food processing/commercial kitchen operation.

Organized Tour of the NexAmp Solar facility on Riverside Drive
An organized tour of the NexAmp solar facility by Agriculture Committee and Auburn City Council members was led by one of the company engineers. Attendees were offered an up-close view of the large facility, gaining a deeper understanding of what this solar farm will offer for up to 800 families when connected.

GIS mapping
An expert in the field of GIS mapping provided education into the use of GIS for mapping agricultural and forestry practices to help understand the needs and current uses of protected areas of Auburn.

Current Use Tax Pamphlet
Final proofing and printing of an educational pamphlet detailing the various land use classifications for state farm and forest land protections.

Presentation by Jim Johnson of the Soil and Water Conservation District.

Via zoom, Jim Johnson discussed some of the many programs available to landowners in Auburn to help with water quality, farm and agriculture, forestry, and clean air solutions. He also spoke about a new federal program that will target rural property owners that might want to seek funding for small farm projects with less stringent standards than are usually faced by typical farm and forestry owners.

Ongoing discussions about initiating a combined regional Farmers Market
Members of the Agriculture Committee are meeting with the Lewiston Farmers' Market representatives to see if there is interest in creating a regional farmers' market. The Lewiston Farmers Market is searching for a permanent location. They would like to buy land so that a year-round pavilion /small business incubator/demonstration gardens/educational facility could be erected that would be of benefit and use by both cities and their residents. Ideally, they are looking for land that would be close to the downtown areas with good parking and accessible by walking/biking.

Continuing and ongoing planning includes:

1) Finalization by Katie Boss and Jay Brenchick of the city council directive given to our committee to provide input into the status of Agriculture in our community.

2) Monthly outreach and updates from Senator Claxton on issues and funding opportunities relating to agriculture and forestry.

3)Monthly updates from the Dept of Agriculture on-going programs and possible grant opportunities.

4)Continuing collaboration with Auburn Conservation Committee on projects that would have some overlap and would benefit from focus by both boards.

5)Create another story walk board presentation.

6)Educational presentations for our community from leaders in the fields of agriculture, forestry and land use, and preservation and protection of natural resources.

7)Continuing investigation of the creation of a facility that would serve the community in food preservation, aggregate storage of local commodities, commercial kitchen space and local food access.

8)Create a local index of all large and small local food producers, homesteaders, forestry products producers, home good manufacturers and other cottage industries in Auburn and the surrounding areas.

9)Offer more Farm Snapshot tours in north, east and west Auburn neighborhoods in the months ahead.

10) We have identified the need for meat processing facilities and are exploring methods and grant funding to create possible facilities.

11)Given the current state of affordable food access and heating resources throughout the New England region we feel that there should be more emphasis on creating better opportunities and greater supply for our residents and the state.

12)The Agriculture Committee is working on a vision statement and plans to have that completed in the next few months.

In summary, the Agriculture Committee has been active and productive. We feel that we have offered much public benefit to our community and look forward to the year ahead.

Respectfully submitted,

Kathy Shaw
Chair
Auburn Agricultural Committee

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 2/18/2022

Author: Chief Robert Chase

Subject: Fire Department Overview and EMS status Update

Information:
The Fire Department responded to 5,790 calls for service in 2021. That is an increase of approximately 17% over 2020. Historically, 80% of the department call volume is Rescue/EMS related calls which includes not only EMS, but also motor vehicle accidents and other types of technical rescues.

EMS responses resulted in 4,409 calls for service in 2021, resulting in 3,411 patient transports. This equates to a 16.6% increase in patient transports from 2020 levels.

The department continues to address challenges associated with the COVID-19 Pandemic, as the healthcare system's current issues in turn, impact us. During COVID, patients have been far less likely to seek care from primary care physicians, and PCP offices are less likely to see patients in the office. Patients then either call the ambulance to be seen in the ER, or their medical condition worsens to a point where ambulance transport is necessary. Urgent Care facilities are unable or are unwilling to treat COVID positive patients and as a result, they call the ambulance for transport. Hospitals struggle to staff medical floors. When patients are ready for discharge, nursing homes struggle with staffing challenges and restrictions - leading to back-ups in the hospitals. Patients remain in the emergency department rather than going to the appropriate floor, so when EMS arrives in the ER, flow is significantly delayed as the all-time low staffing now tries to manage an all-time high patient population. This forces hospitals to transfer patients to facilities they wouldn't otherwise employ…such as one local hospital transferring patients to Connecticut (as described in recent Maine EMS meetings) and as companies like United try to keep up with longer distance and higher volume transfers, their primary coverage area suffers, requiring surrounding services to cover (IE: AFD assisted with an emergent interfacility transfer from Bridgton to CMMC due to extreme limited resources statewide).

All these factors create increased demands on our staff. Like most of Maine, the challenges from COVID have resulted in recruitment and staffing issues for the Fire Department. Vacancies in our organization have been ongoing throughout the Pandemic, and only add to the strain on the remaining employees. These are system-wide problems and have to be address collaboratively with our partners. We are working in cooperation with the hospital systems, the State of Maine, and our partner EMS agencies in our region to navigate these difficult times.

City Budgetary Impacts: N/A

Staff Recommended Action: Approve the Resolution

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022 **Ordinance:** 01-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed ordinance amendment, Sec. 2-58. Time and place of regular meetings.

Information: Under our current ordinance, if a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following Monday. There has been discussion about amending the ordinance, so those meetings are held on the following Tuesday instead.

Sec. 2-58. - Time and place of regular meetings.

The dates and time of the regular meetings of the city council shall be the first and third Mondays of each calendar month at 7:00 p.m. If a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following ~~Monday~~ Tuesday at the same time and place unless the city council shall, at the meeting held next prior to the meeting falling on the holiday or the night before the holiday, fix a different alternate meeting date. The place of such meetings shall be the city council chamber in the city building, hereby designated to be the regular meeting place, unless the council designates another meeting place. All meetings of the city council shall be open to the public and may be continued to another location.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to approve the proposed amendment.

Previous Meetings and History: Prior to January of 2016, if a regular City Council meeting fell on a holiday, the meeting was held the following Tuesday. In January of 2016, an amendment was made to change that to the following Monday, one week later. Public hearing and passage of first reading on 1-3-2022.

Attachments:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDINANCE 01-01032022

City Council Ordinance

IN CITY COUNCIL

ORDINANCE AMENDMENT, Sec. 2-58. Time and Place of Regular Meetings

Be it ordained, that the City Council hereby amends the Code of Ordinances, Sec. 2-58, Time and place of regular meetings as follows:

Sec. 2-58. Time and place of regular meetings.

The dates and time of the regular meetings of the city council shall be the first and third Mondays of each calendar month at 7:00 p.m. If a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following ~~Monday~~ Tuesday at the same time and place unless the city council shall, at the meeting held next prior to the meeting falling on the holiday or the night before the holiday, fix a different alternate meeting date. The place of such meetings shall be the city council chamber in the city building, hereby designated to be the regular meeting place, unless the council designates another meeting place. All meetings of the city council shall be open to the public and may be continued to another location.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022 **Ordinance:** 02-01032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed amendment to the Code of Ordinances Sec. 2-430 – Membership; responsibility (Regulatory Advisor Board)

Information: On December 6, 2021 the City Council adopted an ordinance, Sec. 2-441 to compensate members of the regulatory advisory board, $600 annually (Ordinance 41-11152021). Since that time, it was discovered that there is another section of our Code that conflicts with the newly adopted section of the ordinance. This proposed amendment would strike language that states that the board will serve without compensation, removing the conflicting language.

Sec. 2-430. Membership; responsibility.

A board of regulatory advisory shall be appointed by the city council, consisting of seven members~~, to serve without compensation~~.

The purpose of the regulatory advisory board is to perform the responsibilities of the board of assessment review, board of appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage of the ordinance amendment.

Previous Meetings and History: November 1, 2021, November 15, 2021, December 6, 2021. Public hearing and passage of first reading on 1-3-2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDINANCE 02-01032022

City Council Ordinance

IN CITY COUNCIL

Ordinance Amending Chapter 2, Article V, Division 2, amending Sec. 2-430 – Membership; responsibility

Be it ordained, that the following ordinance be amended:

Chapter 2, Article V, Division 2, amending Sec. 2-430 – Membership; responsibility

A board of regulatory advisory shall be appointed by the city council, consisting of seven members.~~, to serve without compensation.~~

The purpose of the regulatory advisory board is to perform the responsibilities of the board of assessment review, board of appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022 **Order:** 17-01182022

Author: Zakk W. Maher

Subject: CDBG-CV Budget Amendment

Information:
The Community Development is presenting a revised budget for the CDBG-CV program. CDBG-CV was a one-time allocation of funds for responding to and mitigating the impacts of Covid-19. This revision re-allocates previous unspent funds.

City Budgetary Impacts:
None

Staff Recommended Action:
Public hearing and vote to adopt the revised CDBG-CV Budget as presented.

Previous Meetings and History:
Released on December 14, 2021
Presented to the Citizen Advisory Committee on December 17, 2021
Public Hearing on January 18, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
CDBG-CV Budget Presentation

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

November 23, 2021

To: Citizen Advisory Committee
City Council
Auburn Residents

Re: CDBG-CV Revised Budget

The U.S. Department of Housing & Urban Development released funds to entitlement cities through the Coronavirus Aid, Relief & Economic Securities (CARES) Act in June of 2020. These funds are managed as if they were part of the Community Development Block Grant (CDBG) program except for two conditions. First, this is a one-time allocation and not an annual allocation requiring a new budget to be developed each year. Instead, this is a single budget to be followed until all funds are drawn. Second, the use of these funds needs to be targeted to alleviating the impacts of the Covid-19 pandemic and additional documentation of this program goal must be provided.

The City received $334,985 in CDBG-CV funds in June of 2020 and an additional $137,932 in February of 2021. At the close of the fiscal year in June 2021 there was a remaining balance of $221,164. This budget revision reallocates the remaining unspent funds in the following manner. Complete details can be found as an addendum to this budget.

Activity	Impact	Budget
Grocery Distribution Program	Food Security	$76,500
Micro-Enterprise Kitchen Facilities	Economic Development	$45,000
Micro-Enterprise Loans	Economic Development	$35,000
Senior Care Kits	Public Service	$5,000
Housing Advocates (legal aid) – RFP Process	Public Service	$15,000
Adult Ed Transportation & Hotspots	Public Service	$6,000
Job Training Through Strengthen LA	Public Service	$20,000
Salaries	Administration	$18,664

This budget will be presented to the Citizen Advisory Committee and be released for public comment for 30 days prior to adoption by the City Council.

REVISED Budget CDBG-CV **November, 2021**

		CDBG-CV Round 1	CDBG-CV Round 3	Total CARES ACT Funding	Spent to Date	Final Revised Budget	
Project	**Activity**	**Allocation Round 1**	**RD3 Funds**	**CARES Act Total Budget**	**Close of PY20**	**To Allocate: $221,164.56**	**New Balance**
Food Security	Refrigeration Infrastructure	$ 90,000.00	$ 65,000.00	$ 155,000.00	142522.68	142,522.68	0.00
Food Security	Grocery Distribution Program	$ 25,000.00	$ -	$ 25,000.00	33403.06	109,903.06	76,500.00
Food Security	Farmer Market Tickets	$ 19,985.00	$ -	$ 19,985.00	1310	1,310.00	0.00
	Food Security Total	**$ 134,985.00**	**$ 65,000.00**	**$ 199,985.00**	**$ 177,235.74**	**253,735.74**	**76,500.00**
Economic Development	Micro-enterprise shared Food Facilities					45,000.00	**45,000.00**
Economic Development	Small Business/Microenterprise Loans	$ 100,000.00		$ 100,000.00	35000	70,000.00	35,000.00
	Econ Dev Total	**$ 100,000.00**	**$ -**	**$ 100,000.00**	**$ 35,000.00**	**115,000.00**	**80,000.00**
Public Service	Summer Camp/Child Care Scholarship	$ 30,000.00		$ 30,000.00	30850	30,850.00	0.00
Public Service	Summer Camp/Child Care Equip	$ 15,000.00	$ -	$ 15,000.00	0	0.00	0.00
Public Service	Senior Care Kits	$ 5,000.00	$ -	$ 5,000.00	4820.55	9,820.55	5,000.00
Public Service	Work with ME Transportation		$ 2,000.00	$ 2,000.00	0	0.00	0.00
Public Service	Legal aid - Housing Advocate (to RFP)					15,000.00	15,000.00
Public Service	Adult Ed Transportation & Hotspots					6,000.00	6,000.00
Public Service	Strengthen LA					20,000.00	20,000.00
Public Service	Public Service Grants for nonprofits		$ 40,000.00	$ 40,000.00	0	0.00	0.00
	Public Service Total	**$ 50,000.00**	**$ 42,000.00**	**$ 92,000.00**	**$ 35,670.55**	**81,670.55**	**46,000.00**
Admin	Salaries/Wages	$ 50,000.00	$ 30,932.00	$ 80,932.00	3846.15	22,510.71	18,664.56
	Admin Total	**$ 50,000.00**	**$ 30,932.00**	**$ 80,932.00**	**$ 3,846.15**	**22,510.71**	**18,664.56**
	Totals	**$ 334,985.00**	**$ 137,932.00**	**$ 472,917.00**	**$ 251,752.44**	**472,917.00**	221,164.56

City of Auburn, Maine
Recreation Department
Sabrina Best, Recreation Director
48 Pettengill Park Road | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

MEMO

Date: August 3, 2021
To: Zakk Maher, CDBG Administrator
From: Auburn Recreation Department
RE: Request to continue funding for Grab n' Go Program (Food Security)

Dear Zakk:

The Auburn Recreation Department is submitting a letter of request to continue utilize COVID Relief CDBG funding for the Grab n' Go Program (Food Security). As the program developed back in March 2020 in immediate response to the COVID-19 pandemic the hope was for the program to no longer be needed by the Auburn Community by July 1, 2021. Unfortunately, even as our community, State, Country, and World continue to shift back to normal there are still various impacts the pandemic left behind and remain unsolved. One of these major impacts was the loss of jobs, increase in unemployment numbers, health risks and loss of benefits and resources.

As the numbers of GNG households continue to increase there is a clear demand and need for the program to continue past the original end date of July 1, 2021. We are seeking a continuation of the program and are requesting to utilize the COVID Relief CDBG funding allocated to go towards the GNG program to continue until July 1, 2022 at which time we will reassess the need and demand.

We are requesting a total program budget of $76,500 to operate for a full year. These funds would go towards expenses such as: Staff wages and benefits, Purchasing of Food from the Good Shepard Food Bank, Gas for deliveries, packaging materials and staff cell phone. Attached is the Program Budget. We will continue to solicit donations (monetary and program related).

Sincerely,

Sabrina Best
Recreation Director

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

November 23, 2021

To: Citizen Advisory Committee
City Council
Auburn Residents

Re: Micro-Enterprise Kitchen Facilities.

This program proposes to convert the current City-owned kitchen facilities located on Pettengill Park Road to a food production incubator space for current and new micro-enterprises. This facility will be available for use by qualified Low-to-Moderate Income qualified businesses and entrepreneurs to produce products or the facilitation of Pop-up restaurant opportunities. As more residents are seeking relief from Covid-19 pandemic related income and/or food insecurity, the availability of a municipally owned incubator space will allow for experimentation of new products and service businesses within the community which currently struggle to enter into the commercial real-estate market, or who are solely wholesale production but currently lack the means to open and license the required facilities.

In addition to the redevelopment of the facilities, the Community Development Office will solicit proposals from local non-profits to accomplish two things. First is to facilitate the scheduling and maintenance of the facilities to qualified entrepreneurs at a sliding-scale fee. Second role of this organization would be to facilitate the required education and immersion training experience for qualified Low-to-Moderate income individuals (or other qualified populations as designated by HUD).

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

November 23, 2021

To: Citizen Advisory Committee
City Council
Auburn Residents

Re: Legal Aid Housing Advocate

This program proposes to solicit proposals from qualified advocacy firms or legal representatives to provide Housing Advocacy Services to qualified Low-to-Moderate income households. This competitive process would be to establish a service provider to provide legal advice and housing counseling services to homeowners and renters who lack the means to hire their own representation in matters relating to housing.

This would be a one-time program with a fixed budget and firms will be selected based on best fit for the community and lowest hourly rate in order to maximize impact on needy Auburn families.

AUBURN ADULT AND COMMUNITY EDUCATION
77 HARRIS STREET
AUBURN, MAINE 04210
(207) 333-6661
www.auburn.maineadulted.org

LEARNING CENTER
60 COURT STREET; 4th FLOOR
(207) 333-6601 (EXT. 1311)

William Grant
DIRECTOR

Dear Zakk:

We are experiencing some barriers to our adult learners in completing their education due to Covid. We have students who do not have access to the internet to do their work and or join a class remotely. The remote learning option is vital to those students who have childcare issues, compromised immune systems and can not attend in person. Having hot spots would be an essential piece of their education. We also have students who can not access transportation for classes in our adult ed program. Having access to transportation would help them to be successful in completing their education with us. If we could remove some of these barriers I am certain that we can help more Auburn residents access education and improve their chances at employment and remaining in our community.

The last barrier for many students who drop out of school is their need for help and or tutoring one on one to complete their classwork. Many students who were not successful with day school experienced the frustration in adult education of not having access to tutors. Covid prevented in-person learning and so many students dropped out of day school and are seeking an alternative path to their education.

I am requesting a budget of $5,199.6 to help remove these barriers for our students. I am including the budget for those expenses in an attachment for you to review. I would be happy to answer any questions.

Kathryn Saunders
Assistant Director of
Auburn Adult Education
207-333-6661
ksaunders@auburnschl.edu

November 30, 2021

Dear Mr. Maher:

As you are aware, COVID-19 has been devastating in regards to workforce opportunities. Unemployment rates continue to be high and labor participation low despite numerous employment opportunities across the area. New, collaborative efforts are needed to address this shift in workforce and Strengthen LA hopes to be the driving force behind these efforts.

The goal of Strengthen LA is to bring together programs, resources, and capacity to align them in a common direction which addresses the new and changing needs of today's workforce. Strengthen LA would be a seamless continuum of education, training, and employment where job seekers could access all of the support the area has to offer through one process. By providing support and navigation through the various programs along with continued support post-employment, Strengthen LA is not only seeking to employ people but follow them through to long-term employment success.

Strengthen LA is no small undertaking. We have the commitment of community partners and leaders within the community, all driven to see those within our community thrive; employees and employers alike. To support this effort, we ask that the City of Auburn contribute $20,000 of Community Development Block Grant Covid Relief funding to the Strengthen LA efforts. By supporting this effort you will be joining other organizations/groups who see the potential that Strengthen LA has to have an immediate impact in the community. Others with financial commitments to Strengthen LA include:

1. John T. Gorman Foundation ($175,000 in 2021 with a commitment to give in 2022)
2. Housing and Urban Development (HUD) Choice Grant Program ($20,000 per year)
3. Lewiston Auburn Metropolitan Chamber of Commerce ($50,000)
4. Lewiston Auburn Adult Ed ($500)
5. Hahnel Bros Co ($1,000)
6. Strengthen LA Partners ($30,000 in kind)

To ensure your investment, all data collected from Strengthen LA's efforts (including information on Auburn residents including family size and increase in household income) will be made available for review.

We appreciate your support of our program and consideration of our request.

Sincerely,

Brian Pickard
Director of Community Workforce Partnerships
Lewiston Auburn Metropolitan Chamber of Commerce

ORDER 17-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby adopts the revised CDBG-CV budget as recommended by the Business & Community Development Office.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022 **Order:** 18-01182022

Author: Phil Crowell, City Manager

Subject: Remote Meeting Policy

Information: State statute 1 M.R.S.A. § 403-B has changed which authorizes a municipality to hold a public meeting remotely if the need meets certain requirements. The first requirement is for the council to hold a hearing and adoption of a policy.

A policy has been drafted which meets the requirements of the statute for city council consideration.

City Budgetary Impacts: None – system is in place to provide a remote meeting if necessary

---

Staff Recommended Action: Review and determine if the council wants the opportunity to meet remotely.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Remote Meeting Policy, 1 M.R.S.A. § 403-B, and 1 M.R.S.A. § 406

§403-B. Remote participation in public proceedings

1. Remote participation. This section governs remote methods of participation in public proceedings of certain public bodies. For the purposes of this section, "remote methods" means telephonic or video technology allowing simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability. Public proceedings may not be conducted by text-only means such as e-mail, text messages or chat functions.
[PL 2021, c. 290, §1 (NEW).]

2. Requirements. A public body subject to this subchapter may allow members of the body to participate in a public proceeding using remote methods only under the following conditions:

A. After notice and hearing the body has adopted a written policy governing the conditions upon which members of the body and the public may participate in a public proceeding of that body by remote methods; [PL 2021, c. 290, §1 (NEW).]

B. The policy adopted pursuant to paragraph A must provide that members of the body are expected to be physically present for public proceedings except when being physically present is not practicable. Circumstances in which physical presence for one or more members is not practicable may include:

(1) The existence of an emergency or urgent issue that requires the public body to meet by remote methods;

(2) Illness, other physical condition or temporary absence from the jurisdiction of the body that causes a member of the body to face significant difficulties traveling to and attending in person at the location in the notice under section 406;

(3) With respect to a public body with statewide membership, significant distance a member must travel to be physically present at the location in the notice under section 406; and

(4) The area of the public body's jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges; [PL 2021, c. 290, §1 (NEW).]

C. The policy adopted pursuant to paragraph A must provide members of the public a meaningful opportunity to attend by remote methods when members of the body participate by remote methods, and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities; [PL 2021, c. 290, §1 (NEW).]

D. If the body allows or is required to provide an opportunity for public input during the proceeding, an effective means of communication between the members of the body and the public must be provided; [PL 2021, c. 290, §1 (NEW).]

E. Notice of the proceeding must be provided in accordance with section 406. When the public may attend by remote methods pursuant to paragraphs C and D, the notice must include the means by which members of the public may access the proceeding using remote methods. The notice must also identify a location for members of the public to attend in person. The body may not determine that public attendance at a proceeding will be limited solely to remote methods except under the conditions in paragraph B, subparagraph (1); [PL 2021, c. 290, §1 (NEW).]

F. A member of the body who participates in a public proceeding by remote methods is present for purposes of a quorum and voting; [PL 2021, c. 290, §1 (NEW).]

G. All votes taken during a public proceeding using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the public body and the public; and [PL 2021, c. 290, §1 (NEW).]

H. The public body must make all documents and other materials considered by the public body available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as additional costs are not incurred by the public body. [PL 2021, c. 290, §1 (NEW).]

[PL 2021, c. 290, §1 (NEW).]

3. Remote participation not permitted. This section does not authorize town meetings held pursuant to Title 30-A, section 2524 or regional school unit budget meetings held pursuant to Title 20-A, section 1482-A to be conducted using remote methods.

[PL 2021, c. 290, §1 (NEW).]

4. Application. This section does not apply to:

A. The Legislature; or [PL 2021, c. 290, §1 (NEW).]

B. A public body to which specific statutory provisions for remote participation apply. [PL 2021, c. 290, §1 (NEW).]

[PL 2021, c. 290, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 290, §1 (NEW).

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The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

§406. Public notice

Public notice shall be given for all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons. This notice shall be given in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served by the body or agency concerned. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding. [PL 1987, c. 477, §4 (AMD).]

SECTION HISTORY

PL 1975, c. 483, §6 (AMD). PL 1975, c. 758 (RPR). PL 1987, c. 477, §4 (AMD).

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ORDER 18-01182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby adopts the following policy for holding remote meetings pursuant to 1 M.R.S.A. § 403-B.

Auburn City Council Remote Meeting Policy

1. **Attendance.**
   Council members are expected to be physically present for council meetings except when the mayor determines an emergency or urgent issue that requires the entire council to meet remotely. In such circumstances, the council members will participate in the meeting remotely through telephonic or video conferencing.

2. **Notice.**

   Notice of all council meetings shall include the means by which members of the public may access the meeting remotely, if applicable. Copies of the agenda, together with relevant supporting documents, shall be made available to members of the public to the same extent as customarily available.

3. **Voting.**

   During a remote meeting, all members are present for the purposes of a quorum and voting. Votes taken during meetings using remote methods shall be taken by a roll call vote that can be heard (if using telephonic conferencing) or seen and heard (if using video conferencing) by members of the council and by members of the public.

4. **Remote Public Participation.**

   Members of the public shall be afforded a meaningful opportunity to attend and participate in council meetings by remote methods when a remote meeting is called. Members of the public shall be restricted to remote participation only when there is an emergency or urgent issue that requires the council to meet remotely under Section 1 of this policy. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.

5. **Remote methods.**

   As used in this policy, "remote methods" means telephonic, or video technology allowing simultaneous reception of information and may also include other means necessary to provide reasonable accommodations to individuals with disabilities. Remote participation by council members cannot be by text-only means such as email, text messages, or chat functions.

   Legal Reference: 1 M.R.S.A. § 403-B and 1 M.R.S.A. § 406

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **December 2021 Financial Report**

DATE: **January 12, 2022**

The following is a discussion regarding the significant variances found in the City's December financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its sixth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 50.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through December 31st, including the school department were $53,273,862, or 55.82%, of the budget. The municipal revenues including property taxes were $37,251,301, or 57.18% of the budget which is 0.20% higher than last year during the same period. The accounts listed below are noteworthy.

The current year tax revenue is at 57.08% as compared to 57.18% last year. This is an increase over last year of $167,100.

Excise tax for the month of December is at 51.68%. This is a decrease from FY 20, but we are still over projected revenue for FY 22 by 1.68%.

State Revenue Sharing at the end of December is 84.74% or $2,669,295 which is $891,799 more than last year in December.

Expenditures

City expenditures through December 2021 were $28,611,933 or 60.74% of the budget. This is 0.26% more than the same period last year. Noteworthy variances are:

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

A. The main variances are Debt Service is $96,424 more than FY20, Facilities due to payment of Property and Casualty Insurance Premium earlier than in FY 20, Public Safety Departments are higher than last year by $257,859 and Public Works is higher than FY 20 by $110,158.

Investments

This section contains an investment schedule as of December 31st. Currently the City's funds are earning an average interest rate of .24%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of December 2021, November 2021, and June 2021

	December 31 2021	November 30 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 23,678,638	$ 22,235,704	$ 1,442,934	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,207,628	1,196,474	11,154	1,895,710
TAXES RECEIVABLE-CURRENT	21,468,552	21,795,718	(327,166)	55,238
DELINQUENT TAXES	405,331	401,870	3,461	809,349
TAX LIENS	622,401	747,604	(125,203)	1,091,138
NET DUE TO/FROM OTHER FUNDS	4,365,615	927,093	3,438,522	-
TOTAL ASSETS	**$ 51,748,165**	**$ 47,304,463**	**$ 4,443,702**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (278,363)	$ (1,897)	$ (276,466)	$ (985,754)
PAYROLL LIABILITIES	(1,343,596)	1,933,735	(3,277,331)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(31,844)	(34,982)	3,138	-
ESCROWED AMOUNTS	(29,188)	(29,183)	(5)	(27,653)
DEFERRED REVENUE	(22,321,551)	(22,770,564)	449,013	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (24,004,633)**	**$ (20,902,982)**	**$ (3,101,651)**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (24,945,896)	$ (23,603,845)	$ (1,342,051)	$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
TOTAL FUND BALANCE	**$ (27,743,532)**	**$ (26,401,481)**	**$ (1,342,051)**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (51,748,165)**	**$ (47,304,463)**	**$ (4,443,702)**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 28,561,756	57.08%	$ 49,655,498	$ 28,394,656	57.18%	$ 167,100
PRIOR YEAR TAX REVENUE	$ -	$ 463,274		$ -	$ 403,930		$ 59,344
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 2,287,012	51.68%	$ 4,112,861	$ 2,532,007	61.56%	$ (244,995)
PENALTIES & INTEREST	$ 120,000	$ 59,213	49.34%	$ 150,000	$ 55,798	37.20%	$ 3,415
TOTAL TAXES	$ 56,237,450	$ 32,661,304	58.08%	$ 55,338,359	$ 32,791,931	59.26%	$ (130,627)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 146,146	88.04%	$ 166,000	$ 116,746	70.33%	$ 29,400
NON-BUSINESS	$ 300,200	$ 198,549	66.14%	$ 392,400	$ 181,245	46.19%	$ 17,304
TOTAL LICENSES	$ 466,200	$ 344,695	73.94%	$ 558,400	$ 297,991	53.37%	$ 46,704
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 2,669,295	84.74%	$ 2,708,312	$ 1,777,496	65.63%	$ 891,799
WELFARE REIMBURSEMENT	$ 90,656	$ 25,852	28.52%	$ 90,656	$ 11,362	12.53%	$ 14,490
OTHER STATE AID	$ 32,000	$ 12,579	39.31%	$ 32,000	$ 10,269	32.09%	$ 2,310
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 3,129,318	80.42%	$ 3,459,352	$ 2,219,980	64.17%	$ 909,338
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 93,966	50.96%	$ 198,440	$ 79,352	39.99%	$ 14,614
PUBLIC SAFETY	$ 176,600	$ 62,288	35.27%	$ 181,600	$ 71,799	39.54%	$ (9,511)
EMS TRANSPORT	$ 1,250,000	$ 747,858	59.83%	$ 1,200,000	$ 594,473	49.54%	$ 153,385
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 904,112	56.12%	$ 1,580,040	$ 745,624	47.19%	$ 158,488
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 22,384	53.94%	$ 55,000	$ 12,003	21.82%	$ 10,381
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 10,313	25.78%	$ 80,000	$ 29,143	36.43%	$ (18,830)
RENTS	$ 125,000	$ 7,189	5.75%	$ 35,000	$ 27,125	77.50%	$ (19,936)
UNCLASSIFIED	$ 20,000	$ 22,205	111.03%	$ 10,000	$ 52,713	527.13%	$ (30,508)
COMMERCIAL SOLID WASTE FEES	$ -	$ 24,966		$ -	$ 25,122		$ (156)
SALE OF PROPERTY	$ 120,000	$ 2,936	2.45%	$ 25,000	$ 67,651	270.60%	$ (64,715)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 116,055	49.60%	$ 230,000	$ 96,408	41.92%	$ 19,647
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 5,824	29.12%	$ 20,000	$ 5,554	27.77%	$ 270
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 189,488	6.53%	$ 2,838,673	$ 303,716	10.70%	$ (114,228)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 37,251,301**	57.18%	**$ 63,829,824**	**$ 36,371,245**	56.98%	**$ 880,056**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 15,640,250	54.12%	$ 26,217,074	$ 13,545,807	51.67%	$ 2,094,443
EDUCATION	$ 518,821	$ 382,312	73.69%	$ 717,415	$ 232,079	32.35%	$ 150,233
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ -	0.00%	$ 970,862	$ -	0.00%	$ -
TOTAL SCHOOL	$ 30,298,286	$ 16,022,562	52.88%	$ 27,905,351	$ 13,777,886	49.37%	$ 2,244,676
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 53,273,862**	**55.82%**	**$ 91,735,175**	**$ 50,149,131**	**54.67%**	**$ 3,124,731**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

DEPARTMENT	FY 2022 BUDGET	EXP THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	EXP THRU DEC 2020	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 74,125	70.70%	$ 99,000	$ 34,012	34.36%	$ 40,113
CITY MANAGER	$ 447,401	$ 275,892	61.67%	$ 776,095	$ 331,859	42.76%	$ (55,967)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 530,465	58.19%	$ 609,260	$ 422,073	69.28%	$ 108,392
CITY CLERK	$ 237,474	$ 118,581	49.93%	$ 216,946	$ 117,784	54.29%	$ 797
FINANCIAL SERVICES	$ 810,303	$ 380,665	46.98%	$ 751,849	$ 374,259	49.78%	$ 6,406
HUMAN RESOURCES	$ 220,250	$ 101,835	46.24%	$ 157,057	$ 75,352	47.98%	$ 26,483
TOTAL ADMINISTRATION	$ 2,731,915	$ 1,481,563	54.23%	$ 2,610,207	$ 1,355,339	51.92%	$ 126,224
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 390,474	43.36%	$ 1,339,047	$ 477,699	35.67%	$ (87,225)
ECONOMIC DEVELOPMENT	$ 108,469	$ 48,104	44.35%				$ 48,104
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 138,256	26.99%				$ 138,256
HEALTH & SOCIAL SERVICES	$ 119,875	$ 41,775	34.85%	$ 199,282	$ 60,569	30.39%	$ (18,794)
RECREATION & SPORTS TOURISM	$ 584,056	$ 284,976	48.79%	$ 520,474	$ 322,157	61.90%	$ (37,181)
PUBLIC LIBRARY	$ 1,052,163	$ 526,082	50.00%	$ 1,031,533	$ 515,766	50.00%	$ 10,316
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 1,429,667	43.62%	$ 3,090,336	$ 1,376,191	44.53%	$ 53,476
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 6,955,516	89.93%	$ 7,577,735	$ 6,859,092	90.52%	$ 96,424
FACILITIES	$ 677,872	$ 435,450	64.24%	$ 667,494	$ 273,623	40.99%	$ 161,827
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 3,258,388	44.42%	$ 6,840,635	$ 3,238,598	47.34%	$ 19,790
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 11,291,754	67.01%	$ 16,189,004	$ 11,010,723	68.01%	$ 281,031
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 2,891,401	53.09%	$ 5,302,131	$ 2,678,779	50.52%	$ 212,622
POLICE DEPARTMENT	$ 4,343,924	$ 2,193,440	50.49%	$ 4,332,339	$ 2,148,203	49.59%	$ 45,237
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 5,084,841	51.94%	$ 9,634,470	$ 4,826,982	50.10%	$ 257,859
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 2,273,209	44.77%	$ 4,979,329	$ 2,163,051	43.44%	$ 110,158
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 414,997	38.07%	$ 1,051,318	$ 437,334	41.60%	$ (22,337)
WATER AND SEWER	$ 792,716	$ 390,602	49.27%	$ 792,716	$ 390,602	49.27%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 3,078,808	44.24%	$ 6,823,363	$ 2,990,987	43.83%	$ 87,821
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 176,115	99.50%	$ 170,000	$ 167,110	98.30%	$ 9,005
E911 COMMUNICATION CENTER	$ 1,161,479	$ 580,740	50.00%	$ 1,134,304	$ 567,341	50.02%	$ 13,399
LATC-PUBLIC TRANSIT	$ 225,000	$ -	0.00%	$ 331,138	$ -	0.00%	$ -
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 766,855	41.83%	$ 1,905,442	$ 744,451	39.07%	$ 22,404
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 28,611,933**	**60.74%**	**$ 45,932,563**	**$ 27,780,234**	**60.48%**	**$ 831,699**
EDUCATION DEPARTMENT	$ 48,341,366	$ 15,394,746	31.85%	$ 45,802,612	$ 17,686,312	38.61%	$ (2,291,566)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 44,006,679**	**46.11%**	**$ 91,735,175**	**$ 45,466,546**	**49.56%**	**$ (1,459,867)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF December 31, 2021

INVESTMENT		FUND	BALANCE December 31, 2021	BALANCE November 30, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,346,170.25	$ 6,344,838.15	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,308.09	$ 1,051,084.98	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 14,049,006.38	$ 9,487,185.88	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,519.47	$ 52,508.32	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,572.94	$ 339,500.87	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,734.96	$ 226,686.84	**0.25%**
ANDROSCOGGIN BANK	127	ARPA GRANT FUNDS	$ 6,001,939.47	$ -	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,638.43	$ 62,625.14	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 142,388.24	$ 142,357.48	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,367.12	$ 15,363.86	**0.25%**
NOMURA		ELHS Bond Proceeds	$ 43,745,020.00	$ 48,303,196.00	**0.15%**
GRAND TOTAL			**$ 72,032,665.35**	**$ 66,025,347.52**	**0.24%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	Beginning Balance 12/1/2021	December 2021 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 12/31/2021
Bluecross	**$ 16,259.58**	$ 13,425.20	$ (4,900.84)		$ (4,973.00)		**$ 19,810.94**
Intercept	**$ 200.00**	$ 100.00	$ (200.00)				**$ 100.00**
Medicare	**$ 169,340.31**	$ 152,210.38	$ (61,307.27)		$ (112,976.09)		**$ 147,267.33**
Medicaid	**$ 51,198.17**	$ 44,175.40	$ (25,811.42)		$ (9,932.62)		**$ 59,629.53**
Other/Commercial	**$ 138,569.06**	$ 33,461.40	$ (22,785.22)		$ (21,706.17)	$ (21,186.31)	**$ 106,352.76**
Patient	**$ 155,449.38**	$ 8,974.40	$ (12,714.51)	$ 50.00	$ 3,432.51	$ (20,000.00)	**$ 135,191.78**
Worker's Comp	**$ -**						**$ -**
TOTAL	**$ 531,016.50**	**$ 252,346.78**	**$ (127,719.26)**	**$ 50.00**	**$ (146,155.37)**	**$ (41,186.31)**	**$ 468,352.34**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 60,901.87	3.33%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ 1,000.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 1,078,354.63	58.89%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 380,895.70	20.80%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 219,694.69	12.00%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 86,106.25	4.70%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 4,298.20	0.23%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 1,831,251.34	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	10	10	13	5	12	13	63	3.01%
Intercept	0		4	4	1	1	10	0.48%
Medicare	244	172	227	174	226	186	1229	58.75%
Medicaid	82	54	100	64	80	48	428	20.46%
Other/Commercial	34	32	48	44	51	35	244	11.66%
Patient	45	19	12	13	15	10	114	5.45%
Worker's Comp	1	0	2	1	0	0	4	0.19%
TOTAL	416	287	406	305	385	293	2092	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of December 31, 2021

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 9,789.79	49%	$ 1,019.80	5%	$ 3,653.80	18%		0%	$ 5,347.55	27%	$ 19,810.94	4.23%
Intercept	$ -		$ 100.00								$ 100.00	0.02%
Medicare	$ 86,707.16	59%	$ 20,447.20	14%	$ 12,510.20	8%	$ 9,069.80	6%	$ 18,532.97	13%	$ 147,267.33	31.44%
Medicaid	$ 47,926.97	80%	$ 5,902.98	10%	$ 3,990.96	7%	$ 224.48	0%	$ 1,584.14	3%	$ 59,629.53	12.73%
Other/Commercial	$ 36,219.62	34%	$ 29,979.73	28%	$ 5,434.80	5%	$ 7,292.80	7%	$ 27,425.81	26%	$ 106,352.76	22.71%
Patient	$ 38,112.33	28%	$ 24,530.66	18%	$ 40,879.57	30%	$ 17,133.60	13%	$ 14,535.62	.	$ 135,191.78	28.87%
Worker's Comp	$ -										$ -	0.00%
TOTAL	$ 218,755.87		$ 81,980.37		$ 66,469.33		$ 33,720.68		$ 67,426.09		$ 468,352.34	
	47%		18%		14%		7%		14%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of December 31, 2021

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 44,908.78	$ 232.00	$ 471.19		$ 1,942.39	$ 245.00					$ 157,242.00	$ 109,031.40	$ 587.26	$ 10,177.50	$ 2,416.38	$ 6,828.83
Expenditures FY22	$ 143,018.00	$ 39.98			$ 1,789.74	$ 676.42				$ 15,676.00	$ 261,721.14	$ 101,234.49	$ 2,222.70	$ -	$ 2,379.07	$ 9,695.78
Fund Balance 12/31/2021	**$ 501,095.97**	**$ 6,728.98**	**$ 34,837.54**	**$ 1,221.68**	**$ 5,284.03**	**$ (431.42)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 293.40**	**$ (12,867.43)**	**$ 27,271.07**	**$ (104,948.57)**	**$ 5,339.70**	**$ 22,773.75**	**$ 4,356.29**	**$ (46.02)**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ -	$ 300.00	$ 245,818.82	$ 1,103.93	$ 34,777.00		$ 8,358.37			$ -	$ 8,254.01			$ 8,000.00	$ 20.64	$ 181,706.71
Expenditures FY22	$ 1,110.84		$ 384,044.68		$ 37,136.61	$ (2,600.00)	$ 1,689.97		$ 1,899.20	$ 800.00	$ 2,280.00	$ 780.00			$ 4,000.00	$ 237,246.04
Fund Balance 12/31/2021	**$ (1,110.84)**	**$ (8,205.29)**	**$ 1,564,735.83**	**$ 31,674.25**	**$ 10,479.73**	**$ 2,560.00**	**$ 9,397.55**	**$ 20,536.23**	**$ 24,347.84**	**$ (800.00)**	**$ 98,998.45**	**$ (780.00)**	**$ 189.35**	**$ (1,522.60)**	**$ 24,510.18**	**$ 169,555.49**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22								$ (3,111.14)	$ 47,000.00		$ 920.34		$ 168,119.06
Expenditures FY22	$ 1,304.77	$ 1,432.88	$ -	$ (1,610.17)		$ 23,325.00		$ 17,055.95	$ 21,646.39		$ 242,912.17	$ 1,710.00	$ 303,786.91
Fund Balance 12/31/2021	**$ 4,911.03**	**$ (1,432.88)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,388.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,530,907.67**	**$ (1,710.00)**	**$ 116,655.84**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,902,715.11
Expenditures FY22			$ 312,250.49	$ 217,459.00	$ 77,327.19	$ 510,286.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 141,180.08	$ 25,046.84	$ 23,393.75	$ 3,203,855.11
Fund Balance 12/31/2021	**$ 158,933.46**	**$ 806,274.01**	**$ 271,740.80**	**$ (506,843.49)**	**$ 532,821.84**	**$ (819,678.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 75,180.65**	**$ 22,987.84**	**$ (100,374.06)**	$ 7,928,815.89

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for December 2021

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of December 31, 2021.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of December 31, 2021.

Current Assets:
As of the end of December 2021 the total current assets of Ingersoll Turf Facility were $226,687. This consisted cash and cash equivalents of $226,687.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of December 31, 2021 were $89,514.

Liabilities:
Ingersoll had accounts payable of $1,740 as of December 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through December 2021 were $80,790. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through December 2021 were $67,922. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of December 2021, Ingersoll has an operating gain of $12,868 compared to a net loss in November of $4,281.

As of December 31, 2021, Ingersoll has a increase in net assets of $12,868.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
December 31, 2021
Business-type Activities - Enterprise Fund

		December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,687	$ 226,640	$ 47
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,687	226,640	47
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,201	316,154	47
LIABILITIES				
Accounts payable		$ 1,740	$ -	1,740
Interfund payable		$ 34,755	$ 53,597	(18,842)
Total liabilities		36,495	53,597	(17,102)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 190,192	$ 173,043	$ 17,149
Total net assets		**$ 279,706**	**$ 262,557**	**$ 17,149**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
December 31, 2021

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 80,790
Operating expenses:	
Personnel	52,682
Supplies	5,243
Utilities	5,045
Repairs and maintenance	1,952
Rent	-
Depreciation	-
Capital expenses	3,000
Other expenses	-
Total operating expenses	67,922
Operating gain (loss)	12,868
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	12,868
Transfers out	-
Change in net assets	12,868
Total net assets, July 1	266,838
Total net assets, December 31, 2021	**$ 279,706**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 5,275	21.10%	$ 25,000	$ 6,800	27.20%
Batting Cages	$ 16,000	$ 7,870	49.19%	$ 13,000	$ 4,330	33.31%
Programs	$ 94,000	$ 23,775	25.29%	$ 90,000	$ 1,187	1.32%
Rental Income	$ 138,000	$ 43,566	31.57%	$ 102,000	$ 27,985	27.44%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 80,486	29.48%	$ 230,000	$ 40,302	17.52%
INTEREST ON INVESTMENTS	$ -	$ 304		$ -	$ 785	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 80,790**	**29.59%**	**$ 230,000**	**$ 41,087**	**17.86%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU DEC 2020	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 52,682	39.60%	$ 187,546	$ 65,311	34.82%	$ (12,629)
Purchased Services	$ 15,750	$ 1,952	12.39%	$ 14,450	$ 2,177	15.07%	$ (225)
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 5,243	209.72%	$ 4,000	$ 209	5.23%	$ 5,034
Utilities	$ 24,150	$ 5,045	20.89%	$ 25,650	$ 6,375	24.85%	$ (1,330)
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 3,000		$ -	$ -		$ 3,000
	$ 191,741	$ 67,922	35.42%	$ 250,146	$ 74,072	29.61%	$ (6,150)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 67,922**	**35.42%**	**$ 250,146**	**$ 74,072**	**29.61%**	**$ (6,150)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: NSB Arena Financial Reports for December 31, 2021

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of December 31, 2021.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, November 30, 2021.

Current Assets:
As of the end of December 2021 the total current assets of Norway Savings Bank Arena were ($1,384,675). These consisted of cash and cash equivalents of $265,152, accounts receivable of $12,068, and an interfund payable of $1,661,895.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of December 31, 2021 was $195,258.

Liabilities:
Norway Arena had accounts payable of $1,710 as of December 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through December 2021 are $341,047. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through December 2021 were $296,325. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of December 2021, Norway Arena has an operating gain of $44,722 compared to the November 2021 operating loss of $107,174 an decrease in the operating gain for the fiscal year of $62,402.

As of December 31, 2021, Norway Arena has a increase in net assets of $44,722.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $6,079 more than in FY21 and expenditures in FY22 are $76,735 less than last year in December.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
December 31, 2021
Business-type Activities - Enterprise Fund

		December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 265,152	$ 265,348	$ (196)
Interfund receivables		$ (1,661,895)	$ (1,705,196)	$ 43,301
Prepaid Rent				$ -
Accounts receivable		12,068	115,915	$ (103,847)
	Total current assets	(1,384,675)	(1,323,933)	(60,742)
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(1,189,417)	(1,128,675)	(60,742)
LIABILITIES				
Accounts payable		$ 1,710	$ -	$ 1,710
Net OPEB liability		$ 43,811	$ 43,811	$ -
Net pension liability		42,634	42,634	-
Total liabilities		88,155	86,445	1,710
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,472,830)	$ (1,410,378)	$ (62,452)
Total net assets		**$ (1,277,572)**	**$ (1,215,120)**	**$ (62,452)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
December 31, 2021

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 341,047
Operating expenses:	
Personnel	104,595
Supplies	37,598
Utilities	108,932
Repairs and maintenance	14,260
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	296,325
Operating gain (loss)	44,722
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	44,722
Transfers out	-
Change in net assets	44,722
Total net assets, July 1	(1,322,294)
Total net assets, December 31, 2021	**$ (1,277,572)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 9,000	54.55%	$ 16,500		0.00%	$ 9,000
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 494	24.70%	$ 3,000		0.00%	$ 494
Games Vending Machines	$ 3,000	$ 739	24.63%	$ 3,000		0.00%	$ 739
Vending Food	$ 2,000	$ 66	3.30%	$ 3,000	$ 5	0.17%	$ 61
Sponsorships	$ 185,000	$ 81,034	43.80%	$ 230,000	$ 89,950	39.11%	$ (8,916)
Pro Shop	$ 7,000	$ 2,754	39.34%	$ 7,000	$ 4,503	64.33%	$ (1,749)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 683,500	$ 221,675	32.43%	$ 727,850	$ 226,550	31.13%	$ (4,875)
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 13,960	27.92%	$ 10,900
Tournaments	$ 50,000		0.00%	$ 55,000		0.00%	$ -
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 341,047	33.27%	$ 1,122,850	$ 334,968	29.83%	$ 6,079

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU DEC 2020	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 104,595	30.81%	$ 328,913	$ 142,781	43.41%	$ (38,186)
Purchased Services	$ 123,928	$ 45,200	36.47%	$ 120,000	$ 71,578	59.65%	$ (26,378)
Supplies	$ 79,000	$ 37,598	47.59%	$ 83,000	$ 41,689	50.23%	$ (4,091)
Utilities	$ 250,350	$ 108,932	43.51%	$ 244,650	$ 117,012	47.83%	$ (8,080)
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 296,325	35.48%	$ 826,563	$ 373,060	45.13%	$ (76,735)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 296,325**	**35.48%**	**$ 826,563**	**$ 373,060**	**45.13%**	**$ (76,735)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Subject: Executive Session

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

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City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 18, 2022

Subject: Executive Session

Information: Labor negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

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City Council Workshop & Meeting
Agenda
February 7, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

A. Executive Session-Contract negotiations, pursuant to 1 MRSA Sec. 405(6)(D) with possible action to follow under New Business.
B. Permitting Software solution – Brian Wood and Jill Cunningham (10 minutes)
C. Budget Portal Presentation – Jill Eastman & Kelsey Earle (15 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

Pledge of Allegiance

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

1. Order 19-02072022*
Appointing a representative (City Manager, Phil Crowell) and alternate (Assistant City Manager, Brian Wood) to vote at the Maine service Centers Coalition business meetings.

II. Minutes – January 18, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Conservation Commission Communication/Update
- Auburn Public Library Overview
- City Clerk Overview
- Community and Business Development Overview
- Planning Overview
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Resolve 01-02072022
Approving the Auburn Water District $2 million dollar bond to be used for pipe replacement.

2. Order 20-02072022
Authorizing the City Manager to negotiate for the purchase of property located at 424 Mt. Auburn Avenue.

3. Order 21-02072022
Approving the ARPA funding allocation for Employee Retention.

4. Order 22-02072022
Approving the ARPA funding allocation for Information Technology (IT).

5. Order 23-02072022
Approving the ARPA funding allocation for water and sewer studies and implementation stemming from studies.

6. Ordinance 03-02072022
Amending Auburn's Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs. Public hearing and first reading.

7. Ordinance 04-02072022
Amending Auburn's Code of Ordinances, Appendix A Fees and Charges. Public hearing and first reading.

8. Ordinance 05-02072022
Adopting a Disorderly House ordinance. Public hearing and first reading.

9. Ordinance 06-02072022
Board and Committee restructure Ordinance. Public hearing and first reading.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, December Monthly Finance Report

IX. Executive Session - Economic Development, pursuant to 1 MRSA Sec. 405(6)(C) with possible action to follow.

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D) with possible action to follow under New Business during the meeting.

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City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Author: Jill Cunningham, IT Department, Database Manager

Subject: Permitting Software and Implementation Solution

Information: The City of Auburn is looking to replace the current Permitting and Licensing software and upgrade to a software that has more customizable functionality for staff and accessibility to the public. Our current platform has provided daily systematic challenges that are compounded with our limited ability to rectify the issues. Customers have been unable to access our services and have been required to come to Auburn Hall to obtain permits and meet with our staff. The new software will allow staff to create online applications where our customers can access our services remotely and reduce the need to execute transactions in person.

This project aligns with the American Rescue Plan Act (ARPA) initiative 2 Negative Economic Impacts -2.9 Small Business Economic Assistance (General)

City Budgetary Impacts: Utilize $150,000. In ARPA funds.

Staff Recommended Action: Staff recommends the procurement of a new Permitting software and implementation of this project.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Author: Jill Eastman, Finance Director & Kelsey Earle, Deputy Director

Subject: Budget Portal Presentation

Information: This is an introduction to this new tool that will be available for the budget process. This portal was created to better suit the needs of the City, as it provides easier access to budgetary information in a user-friendly manner.

City Budgetary Impacts: N/A

Staff Recommended Action: Review

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Order:** 19-02072022

Author: Phillip L. Crowell, Jr.

Subject: MMA - Maine Service Center Coalition Membership and Appointment of Voting Delegate Representative and Alternate

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Information: The City of Auburn will be renewing its membership with the Maine Service Centers Coalition. The Maine Service Centers Coalition makes available professional lobbying staff support in providing cities access to policy makers, sound policy advice and effective advocacy services. As part of our renewal, City Council will need to appoint a Representative and designate an Alternate to vote at the Maine Service Centers Coalition business meetings.

City Budgetary Impacts: Annual membership fee: $2,754.96

Staff Recommended Action: Order to appoint a Representative (City Manager) and designate an Alternate (Assistant City Manager) to vote at the Maine service Centers Coalition business meetings.

Previous Meetings and History: 8/16/2021

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 19-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council appoint a Representative (City Manager) and designate an Alternate (Assistant City Manager) to vote on behalf of the City of Auburn at the Maine Service Centers Coalition business meetings.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

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

1. **Order 07-01182022***
Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

2. **Order 08-01182022***
Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.

3. **Order 09-01182022***
Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

4. **Order 10-01182022***
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

5. **Order 11-01182022***
Appointing James Timoney to the Auburn-Lewiston Airport Board with a term expiration of
1-1-2023.

6. **Order 12-01182022***
Re-appointing Patricia Madore to the 9-1-1 Committee with a term expiration of 1-1-2024.

7. **Order 13-01182022***
Re-appointing Jennifer Kimble to the Auburn Housing Authority with a term expiration of 10-1-2025.

8. **Order 14-01182022***
Appointing Tina Eugley to the Age Friendly Committee with a term expiration of 6-1-2023.

9. **Order 15-01182022***
Appointing Pam Rousseau to the Agriculture Committee with a term expiration of 4-1-2024.

10. Order 16-01182022*
Appointing David Gonyea to the ad hoc Public Safety Building Committee.

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

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

Passage 7-0.

II. Minutes – January 3, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

V. Unfinished Business

1. Ordinance 01-01032022
Amending Auburn's Code of Ordinance, Sec. 2-58. Time and place of regular meetings. Second reading.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. **Ordinance 02-01032022**
Amending Auburn's Code of Ordinance, Sec. 2-430. Membership; responsibility (Regulatory Advisory Board). Second reading.

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

Public comment – No one from the public spoke.

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

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

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

VI. New Business

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

Order 07-01182022
Appointing Brian Dubois to the Planning Board as a full member with a term expiration of 1-1-2025.

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

Public comment – no one from the public spoke.

Passage 7-0.

Order 08-01182022
Appointing Toni Ferraro to the Planning Board as full member with a term expiration of 1-1-2024.

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

Public comment – No one from the public spoke.

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

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

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

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

Order 09-01182022
Appointing Joshua Daigle to the Planning Board as an associate member with a term expiration of 1-1-2023.

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

Public comment - No one from the public spoke.

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

1. **Order 17-01182022**
Adopting the revised CDBG-CV Budget as presented. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. **Order 18-01182022**
Adopting a remote meeting policy pursuant to 1 M.R.S.A. § 403-B.
Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

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

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

VII. Open Session

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

VIII. Reports (from sub-committees to Council)

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

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

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

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

Councilor Morin provided an update on the Airport Board.

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

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

IX. Executive Sessions:
Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – taken up during the Council workshop.
Economic development, pursuant to 1 MRSA Sec. 405(6)(C) – no longer needed.
Labor negotiations, pursuant to 1 MRSA Sec. 405(6)(D) – taken up during the Council workshop.

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

Auburn, Maine
Conservation Commission
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

ANNUAL REPORT 2021

The Auburn Conservation Commission enjoyed a productive year in 2021, as we worked to protect and improve our natural resources and raise public awareness of environmental issues. In accordance with our ordinance, the Annual Report below outlines key accomplishments from 2021 and ongoing initiatives for 2022.

Members:
Commissioners: Sam Boss, Chair; Amy Dieterich, Vice-Chair; Jane Costlow, Secretary; Rhyanna Larose; Dave Griswold; and Adam Platz.

The Commission extends its deep gratitude to outgoing Commissioners Jordan Tate, Tizz Crowley, and Michelle Melaragno for the time, energy, and dedication they invested in supporting conservation efforts in Auburn.

Key accomplishments

Events & Activities

- *Winter Tree & Bird ID Walk.* The Conservation Commission/Community Forest subcommittee hosted a Winter Tree & Bird Identification Walk in Pettengill Park for Auburn Winter Fest, to help residents gain appreciation for Pettengill trails and the different habitats and species found in the City forests.
- *Earth Day Neighborhood Clean-Up*. This event promoted pride in our neighborhoods and natural spaces, and awareness of litter and proper waste disposal. 40 volunteers helped remove approximately 100 contractor bags of waste from parks, waterways, and neighborhoods around the city.
- *Walk in the Park Day*. In collaboration with the United New Auburn Association, the Conservation Commission's Parks and Cemeteries Subcommittee organized and led walks at major parks around the city in order to build community and promote appreciation of Auburn's natural spaces.
- *Arbor Day Activities.* The Auburn Forest Subcommittee/LACFB organized a series of Arbor Day activities, which included planting seedlings in the City nursery from the Maine Forest Service and a Storywalk that offered information on invasive species. These activities helped Auburn retain its Tree City USA status.
- *Agriculture and Forestry Storywalk.* In collaboration with the Auburn Agriculture Committee, the Conservation Commission contributed content on invasive plants and insects for the October Storywalk on local agriculture and forestry.

Ongoing Initiatives

- **Support City staff and public engagement on FERC Relicensing of Lewiston Falls Dam**
  The Conservation Commission worked to support Eric Cousens through the FERC relicensing of the Lewiston Falls Dam by participating in and organizing stakeholders meetings, and identifying contacts to support requests for studies. The FERC dam relicensing process is ongoing, and we look forward to supporting public engagement as that work continues.

- **Promote awareness and effective management of Browntail Moth and other invasive species**
  The Commission worked with the Maine State Forest Service to identify resources on Browntail moth management to share with Liz Allen and the City Manager's office in order to promote public awareness and effective management. We will be hosting Alison Kanoti, the State Entomologist from the Maine Forest Service, for an information session about nest removal and other management strategies on February 17 at 7 pm. We will also hold a workshop with City Arborist Noel Skelton.

- **Research ecological and recreational improvements to the Little Androscoggin**
  A working group of the Commission has focused on identifying ways for the City of Auburn to improve access to the Little Androscoggin River and improve the health of its ecosystems by improving fish passage; this would align with stated goals from the Comprehensive and Strategic plans to promote water access/health and recreation. We organized an assessment by federal fisheries biologist Chris Reidy of the Littlefield Dam, which he deemed to present a significant barrier to fish passage on the River. His full analysis is included with this report. We are exploring opportunities for funding the removal of the dam, possible boat launch or portage locations, and trail extensions.

- **Host speakers and consider support of legislation relevant to Auburn conservation**
  The Commission hosted Peter Rubins from Grow L-A to speak about reclassification of the Androscoggin River. Chair Sam Boss provided testimony in support of LD 676, which would reclassify the Androscoggin River from a class C to Class B River. The Commission also hosted Ed Friedman from the Friends of Merrymeeting Bay to discuss LD 883, an Act to Protect Endangered Species, which would declare the Atlantic Salmon an endangered species in Maine.

- **Maintain healthy street trees in Auburn and promote sustainable forestry practices**
  Through the Auburn Forest Subcommittee/LACFB, the Conservation Commission successfully supported an application for the Project Canopy Grant, which funded the planting of Gingko trees on Washington Street at the gateway to Auburn. Commissioner Dave Griswold, a career forester, regularly attends workshops with the State Forest Service and the Sustainable Forestry Initiative and is leading research into policies that will increase the number of street trees in Auburn. Dave monitored two Emerald Ash Borer traps this year, and found no sign they have spread in Auburn.

- **Create StoryMaps Featuring Auburn Trails, Forests, and Parks.** In collaboration with students at Bates College, the Conservation Commission worked with Sabrina Best and Rosemary Mosher, and the Friends of Mt. Apatite on efforts to create StoryMaps to promote Auburn's trail systems, including Pettengill Park and Mt. Apatite. We aim to finalize these and other projects this year.

Conclusion

The events, activities, and initiatives outlined above reflect our commitment to building collaborations with other City groups and local organizations in Auburn. They also reflect the dedication and expertise of our members and the community members who have been involved in local conservation efforts.We are eager to continue our work with staff and deepen engagement with the Council in the upcoming year, and invite you to consult with our group on matters relating to conservation and sustainability.

Respectfully submitted,
Sam Boss, Chair

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 2/7/2022 **Resolve:** 01-02072022

Author: Sid Hazelton, P.E. Auburn Water District Superintendent

Subject: Request for Authorization of Bond Approval

Information: At the monthly Auburn Water District Trustee meeting on January 19, 2022, the Trustees voted to authorize pursuit of a $2 million-dollar general resolution bond through the Maine Municipal Bond Bank for the purpose of replacing water mains. This request was prompted in an effort to take advantage of the current climate of relatively low interest rates for bonds. The current rate for a 10-year general resolution bond is close to 1%.

The District is budgeted to replace 2 miles of pipe/year. At an assumed replacement price of $130 per/foot, this bond will fund approximately 1.5 years of pipe replacement.

In accordance with the Auburn Water District Charter, Auburn City Council approval is required for the issuance of bonds.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

RESOLVE 01-02072022

City Council Resolve

IN CITY COUNCIL

RESOLVED, that the Auburn City Council, in accordance with section 13 of the Auburn Water District Charter, hereby grants permission to the Auburn Water (the "Water District") District to issue its bonds and notes in anticipation thereof, referred to herein as the "Water District Bonds" in the aggregate principal amount not to exceed $2,000,000 to finance upgrades to the Water District's water distribution system, including water main replacement, with other improvements ancillary and related thereto.

BE IT FURTHER RESOLVED, by the Auburn City Council, that the Water District bonds shall not constitute any debt or liability of the City or a pledge of the faith and credit of the City, but shall be payable solely by the Water District, and the issuance of the Water District Bonds shall not directly or indirectly or contingently obligate the City to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Order:** 20-02072022

Author: Dan Goyette

Subject: Mt. Auburn Avenue Reconstruction Property Purchase

Information: The City is in the design stage for the reconstruction of Mt. Auburn Avenue. The design team has identified that the purchase of the property located at 424 Mt. Auburn Avenue would be extremely beneficial to the safety of the completed roadway.

City Budgetary Impacts: The City has approved $900,000 in matching funds to the Maine DOT's $625,000 for the construction of the project in the 2022 CIP. No additional funds are needed at this time.

Staff Recommended Action: Approve the Order authorizing the City Manager to negotiate for the purchase of the property.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 20-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby grants the City Manager or his designee the authority to negotiate and execute a purchase and sale agreement for the property located at 424 Mt. Auburn Avenue.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Order:** 21-02072022

Author: Brian Wood, Assistant City Manager

Subject: Auburn Police Retention Pilot Program

Information: The City of Auburn seeks to have and maintain a robust, well trained and responsive police department. In an effort to ensure the city remains competitive in attract the best and brightest officers that are new to the field, the city is piloting a program that will increase starting pay for entry level officers all the way through officers entering their 4th year.

It is anticipated that this initiative in conjunction with the Auburn's robust benefits package and training opportunities will attract and retain new officers in the field of law enforcement.

This project aligns with the American Rescue Plan Act (ARPA) initiative : Revenue Replacement 6.1 Provision of Government Services

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City Budgetary Impacts: Utilize $65,000. In ARPA funds.

Staff Recommended Action: Staff recommends the allocation of funds to ensure the stability of the Auburn Police Department.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 21-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of $65,000.00 from the American Rescue Plan Act (ARPA) funding to support the retention of Auburn Police Officers.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Order:** 22-02072022

Author: Jill Cunningham, IT Department, Database Manager

Subject: Permitting Software, Assessing Software and record digitalization

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Information: The City of Auburn is looking to replace the current Permitting/ Licensing software and upgrade to a software that has more customizable functionality for staff and accessibility to the public. Our current platform has provided daily systematic challenges that are compounded with our limited ability to rectify the issues. Customers have been unable to access our services and have been required to come to Auburn Hall to obtain permits and meet with our staff. The new software will allow staff to create online applications where our customers can access our services remotely and reduce the need to execute transactions in person.

The City of Auburn is looking to replace the current assessing records management system, which is housed on premise, with a cloud based solution that will allow for greater integration for residents and employees. Additionally, built in redundancy and portal access will allow residents to have online access to assessing information without coming to city hall. This new system will integrate with current cloud based systems, resulting in greater access to multiple strands of information for residents and staff.

The City of Auburn is responsible for thousands of records that are required by law or for historic preservation to be maintained. Ensuring these records are available to the public 24 hours a day and eliminating the need for residents to make an appointment to come in person is a safety and service need.

This project aligns with the American Rescue Plan Act (ARPA) initiative 2 Negative Economic Impacts -2.9 Small Business Economic Assistance (General)

City Budgetary Impacts: Utilize $350,000. In ARPA funds.

Staff Recommended Action: Staff recommends the procurement of a new Permitting software and implementation of this project.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 22-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of $350,000.00 from the American Rescue Plan Act (ARPA) funding to support the replacement and upgrade of software's/ platforms including Energov, Patriot and record digitizing.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Order:** 23-02072022

Author: Brian Wood, Assistant City Manager

Subject: Water and Sewer Infrastructure Study

Information: The City of Auburn seeks to have the most up to date assessments in order to make equitably and economically advantageous decisions on replacing, expanding and upgrading access to clean and safe drinking water for Auburn residents. There are several projects that have been identified as potential opportunities to meet these stated goals. Detailed studies followed by implementation will be needed in order for the city in partnership with the Water District to make sound and educated decisions about project prioritization.

This project aligns with the American Rescue Plan Act (ARPA) initiative: Infrastructure 5.11 Drinking water: Transmission & distribution.

City Budgetary Impacts: Utilize $150,000. In ARPA funds.

Staff Recommended Action: Staff recommends the allocation of funds to ensure these projects are viable and able to move forward.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 23-02072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby approves the allocation of $150,000.00 from the American Rescue Plan Act (ARPA) funding to support water and sewer studies and implementation stemming from studies.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Ordinances:** 03-02072022 and 04-02072022

Author: Phil Crowell, City Manager

Subject: Ordinance change for Taxicab Licensing

Information: The Auburn Charter sec. 2.8 states "the city council shall provide for the review of the city's charter and ordinances in their entirety at least once every 15 years". Council recently completed the review of the City Charter and the City Ordinances. Last year, information was shared regarding the economic impact our ordinance has on taxi businesses and the council was advised that language changes would be submitted for consideration. With Lyft and Uber being more prevalent in the community, added regulations on a taxi business does not allow them to be marketable.

Staff is recommending the city council adopt the city ordinance changes regulating taxicab businesses to be more in alignment with the requirements required of Transportation Network Companies like an Uber or Lyft. These changes were discussed with the one licensed cab company in Auburn and the owner is very appreciative of this consideration.

City Budgetary Impacts: Less than $200.00 in revenue

Staff Recommended Action: Review and recommend changes to the edits

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Previous Meetings and History: Charter and Ordinance review discussions in 2020 and 2021. Presented and discussed at the 1/18/2022 Council workshop.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Article XIV Taxicabs, Appendix A

ORDINANCE 03-02072022

City Council Ordinance

IN CITY COUNCIL

AMENDING THE AUBURN CODE OF ORDINANCES, CHAPTER 14, ARTICLE XIV, TAXI CABS.

Be it ordained, that the Auburn City Council hereby amends the Auburn Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs, Sections - 14-453, 14-455, 14-475, 14-476, 14-502, 14-503, 14-508 as attached:

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE XIV. TAXICABS

DIVISION 1. GENERALLY

Secs. 14-430—14-450. Reserved.

DIVISION 2. BUSINESS LICENSES

Sec. 14-451. Required; application.

(a) *License required:* No person shall operate a taxicab business without first obtaining a license to do so. Any person desiring to operate a taxicab business in the city shall first submit a written application therefore to the city clerk or designee which shall comply with the requirements of this section.

(b) *Signature:* Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases, by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and address and the date and place of birth of each of the principal officers of the applicant and of every person having management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.

(c) *Insurance:* The application shall be accompanied by a certificate of liability insurance, providing for minimum coverage of $50,000.00 property damage, $100,000.00 bodily injury per person, and $300,000.00 per accident.

(d) *Criminal conviction statement:* The application shall include a record of disqualifying criminal conviction of any principal officer of a corporation or owner of the business or of any person having management authority in the business, or a statement that no such convictions exist.

(e) *Vehicle information:* The application shall include the make, model, year, serial number, and license plate number of each vehicle for which a taxicab business license is sought and the address of the garage or other terminal at which the vehicle will be stationed when not in service. The licensee must also provide a copy of the valid state of Maine registration for each vehicle to be licensed.

(f) *Vehicle description:* The application shall include a detailed description of the graphic design, insignia, wording, and coloring which will appear on the vehicle, if licensed.

(Ord. No. 38-02072011-05, att. § 24-427, 2-7-2011)

Sec. 14-452. Denial of taxicab business licenses.

(a) The city clerk or designee may deny an application for a taxicab business license for any of the following reasons:

(1) A corporate applicant is not licensed to do business in this state.

(2) A principal officer or other person having actual ownership interest in a corporate applicant or managing authority in the business has a disqualifying criminal conviction.

(3) Any person having an actual ownership interest or management authority in a non-corporate applicant has a disqualifying criminal conviction.

(4) An applicant or any of the principal owners having a controlling interest held a taxicab business license in the city which was revoked within the three years preceding the filing of the application.

(5) The application contains a material and knowingly false statement of fact.

(b) The city clerk or designee shall promptly give written notice to the applicant of the reasons for denial and shall keep a copy on file.

(Ord. No. 38-02072011-05, att. § 24-428, 2-7-2011)

~~**Sec. 14-453. Inspections.**~~

~~Before a taxicab business license may be issued, all taxicabs to be covered by the license shall be thoroughly inspected by the police chief or designee at the applicant's expense and certified to be in safe condition. The applicant shall make its taxicabs available for such additional inspections at its expense as the police chief may reasonably require and shall not operate any taxicab not certified to be in safe condition until the unsafe condition is corrected.~~

~~(Ord. No. 38-02072011-05, att. § 24-429, 2-7-2011)~~

Sec. 14-454. Cancellation of insurance policy.

Should an insurance policy of any licensed taxi business in the city be canceled before its expiration date, the issuing company shall mail a 30-day written notice to the city. This notice should be sent to ~~the police chief and~~ the city clerk.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-455. Suspension of taxicab business licenses.

(a) The city clerk or designee shall suspend any taxicab business license for up to five days when satisfied that the licensee has:

(1) Failed to notify the clerk of any material change of fact set forth in the license application~~;~~.

(2) Failed to exercise proper control over its taxicab drivers as evidenced by the existence of three or more driver suspensions during the period of 12 months~~;~~.

(3) Determination that a taxicab driver was operating a cab with any disqualifying criminal conviction.

(4) Determination that a driver was operating a cab with a record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence currently or during the year preceding the application.

(5) Determination that a taxicab driver was operating a cab with a driver's license that is presently revoked or has been revoked during the last three years preceding the application.

(6) A driver knowingly took a longer route to his destination than was necessary unless so requested by the passenger; knowingly conveyed any passenger to a place other than that which the passenger

specified; transported any person other than the passenger first engaging the taxicab without the express consent of such passenger; harassed, threatened, or assaulted a passenger; charged more than the set fare.

~~(3) Permitted a taxicab to be operated when it has been determined to be in unsafe condition;~~

~~(4) Refused to comply with the provisions of this article regarding the maintenance and inspections of its taxicabs.~~

(b) In the event of a second or subsequent violation of the terms of these ordinances within the period of twelve months, the city clerk or designee shall suspend the licensee's taxicab business license for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.

(Ord. No. 38-02072011-05, att. § 24-431, 2-7-2011)

Secs. 14-456—14-474. Reserved.

~~*DIVISION 3. TAXICAB DRIVER'S LICENSES*~~

~~Sec. 14-475. Application for taxicab driver's licenses.~~

~~(a) Any person who wishes to secure a taxicab driver's license shall submit a written application to the city clerk or designee which shall contain the following:~~

~~(1) The age of the applicant.~~

~~(2) A complete statement of the applicant's health and physical condition.~~

~~(3) A complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists.~~

~~(4) A record of convictions for reckless driving, driving to endanger, operating under the influence, or attempting to operate under the influence during the year preceding the application.~~

~~(5) A statement as to whether any driver's license held by the applicant is presently revoked or has been revoked during the last three years preceding the application and the reasons for such revocation or revocations.~~

~~(6) An appropriate form or statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the clerk.~~

~~(b) The application for a license under this article shall be accompanied by a photograph, in duplicate, of the applicant, which meets specifications for a passport photograph and is current within 30 days annually.~~

~~(Ord. No. 38-02072011-05, att. § 24-432, 2-7-2011)~~

~~Sec. 14-476. Denial of taxicab driver's licenses.~~

~~(a) The city clerk or designee shall deny an application for a taxicab driver's license if:~~

~~(1) The applicant is under 18 years of age.~~

(2) The applicant does not have a valid motor vehicle operator's license.

(3) The applicant is unable to operate a taxicab safely by reason of physical incapacity.

(4) The applicant received a disqualifying criminal conviction at any time during the previous five years, provided that the conviction was for an offense that is reasonably related to the operator's fitness to operate a taxicab.

(5) The applicant has been convicted during the preceding three years of reckless driving, driving to endanger, operating under the influence or attempting to operate under the influence, or an equivalent offense in another state.

(6) His driver's license has been revoked during the preceding three years for any reason reasonably related to his ability to safely operate a taxicab.

(b) The city clerk or designee shall keep a written record of every decision to deny a taxicab driver's license.

(Ord. No. 38-02072011-05, att. § 24-433, 2-7-2011)

Sec. 14-477. Suspension of taxicab driver's licenses.

(a) The city clerk or designee shall suspend any taxicab driver's license when satisfied that the licensee:

(1) Knowingly took a longer route to his destination than was necessary unless so requested by the passenger.

(2) Knowingly conveyed any passenger to a place other than that which the passenger specified.

(3) Transported any person other than the passenger first engaging the taxicab without the express consent of such passenger.

(4) Harassed, threatened, or assaulted a passenger.

(5) Charged more than the maximum fare specified in this article.

(6) Failed to notify the clerk of any change of material fact set forth in the application for such license.

(7) Removed from the taxicab or obscured the notice required by this article.

(b) The suspension shall be for up to five days. In the event of a second or subsequent violation of these ordinances within a twelve month period, the city clerk or designee shall suspend the license of the taxicab driver for up to ten days. The length of the period of suspension shall vary in each case subject to the stated maximums depending on the gravity of the offense.

(Ord. No. 38-02072011-05, att. § 24-434, 2-7-2011)

Secs. 14-478—14-499. Reserved.

DIVISION 4. OPERATION AND EQUIPMENT REQUIREMENTS

Sec. 14-500. List of taxicabs in active use.

Every taxicab business shall maintain an up-to-date list on file with the city clerk or designee containing its current business address and the make, model, serial number, and license plate number of each taxicab being operated by it and the garage or other terminal at which the vehicle will be located when not in service together

with such additional information regarding the operating condition of each taxicab as the police chief may reasonable require.

(Ord. No. 38-02072011-05, att. § 24-430, 2-7-2011)

Sec. 14-501. Equipment condition and maintenance.

Every taxicab operated on the streets of the city shall be maintained in clean and serviceable condition and adequate repair. Each taxicab shall have two doors affording direct entrance and exit to and from the passenger compartment. Clean and adequate repair shall mean, without limitation, the following:

(1) No visible tears in carpeting;

(2) No dents larger than six inches in diameter;

(3) No tears in seat upholstery;

(4) No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger;

(5) No missing trim or body work;

(6) No cracks in windshield or windows;

(7) Seat belts for all passenger seats visible and in working order;

(8) No missing hubcaps;

(9) No visible primer paint; and

(10) No rust greater than one inch in diameter.

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

Sec. 14-502. Vehicle lettering design.

The name of the owner of the taxicab shall appear on the exterior of the taxicab in letters not less than two inches in height. In additions, the business telephone number of the taxicab owner may be included together with an identifying design. ~~Any such design must first be approved by the police chief as not being confusing to customers or unnecessarily distracting to other motorists.~~

(Ord. No. 38-02072011-05, att. § 24-420, 2-7-2011)

~~Sec. 14-503. Display of cards.~~

~~All licensed taxicabs shall have three cards of a size and form to be established by the police chief. These cards shall be placed or secured in a frame so that they may not be easily tampered with or destroyed. Each card shall show the license number assigned to the vehicle by the city clerk or designee and a statement that any customer complaint shall be directed to the police chief and shall include the license number of the taxicab, the schedule of the established rates of fares and zones, and the driver's identification card and number.~~

~~(Ord. No. 38-02072011-05, att. § 24-421, 2-7-2011)~~

Sec. 14-504. Number of passengers.

No driver shall permit more persons to be carried in the taxicab than the seating capacity of the cab.

(Ord. No. 38-02072011-05, att. § 24-422, 2-7-2011)

Sec. 14-505. Record of daily trips.

The owner of each licensed taxicab shall maintain daily records of trips made by the vehicle. These records shall be kept in a form and manner approved by the police chief and shall be open to inspection by any police officer delegated by the police chief.

(Ord. No. 38-02072011-05, att. § 24-423, 2-7-2011)

Sec. 14-506. Receipts for fares.

Every taxicab driver, when requested by a passenger, shall furnish a signed receipt showing the owner's name together with the date and amount of the fare charged.

(Ord. No. 38-02072011-05, att. § 24-424, 2-7-2011)

Sec. 14-507. Consent of passenger to additional fares.

No taxicab driver shall carry any person other than his initial passenger without first obtaining the first passenger's consent.

(Ord. No. 38-02072011-05, att. § 24-425, 2-7-2011)

Sec. 14-508. Rates and zones.

~~(a) The city council, on its own initiative, or on petitions of ten or more residents of the city, or two or more persons regularly operating taxicab businesses in the city, may revise the schedule of fares and definitions of the zones for such fares. The schedule of fares shall be established and the zones defined so as to protect the public interest while at the same time providing taxicab owners with a reasonable return on their investment.~~

~~(b) At least seven days before any action is taken by the city council at alter existing fares or change the description of zones, notice shall be given by publication in a daily newspaper having a general circulation in the city of the time and place of the meeting at which such action is proposed to be taken and of the fact that the city council will be considering a proposal to alter existing taxicab fares or zones. When the request for a change in rates or zone descriptions is initiated by one or more taxicab businesses, the applicants shall assume the expense of publishing the notice of the hearing.~~

~~(c) At the hearing, the city council shall consider any relevant evidence that is offered to show whether or not fares or zone descriptions should be altered.~~

~~(d) A schedule of the rates and zones currently in effect shall be kept on file in the office of the city clerk.~~

~~(Ord. No. 38-02072011-05, att. § 24-426, 2-7-2011)~~

A schedule of the rates and zones determined by the taxicab business must be submitted to the city clerk upon approval of a new license, the scheduled fee will be considered when approving the license. Established taxicab businesses must submit any revisions to the rates and zones 30 days before the revision goes into effect. The city council, on its own initiative, or on petitions of ten or more residents of the city may conduct a hearing regarding the schedule of fares and definitions of the zones for such fares. The city council has the authority, after a hearing, to determine if the revision is relevant and should be adjusted.

Secs. 14-509—14-529. Reserved.

ORDINANCE 04-02072022

City Council Ordinance

IN CITY COUNCIL

AMENDING THE AUBURN CODE OF ORDINANCES, APPENDIX A, FEES AND CHARGES.

Be it ordained, that the Auburn City Council hereby amends the Auburn Code of Ordinances, Appendix A, Fees and Charges as follows:

Taxicabs:

Taxicab business license ~~(police department inspection required)~~—annually ~~per cab~~ .....~~55~~100.00

~~Taxicab driver's license (Lewiston permit required)~~—annually 25.00

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Ordinance:** 05-02072022

Author: Phil Crowell, City Manager

Subject: Disorderly Housing

Information: It is the responsibility of the city to protect the health, safety, and welfare of the residents of the Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Often, these incidents are occurring in housing units or rentals which are unoccupied by the owners. Inquiries have been done with other municipalities to determine how enforcement is being handled.

Many communities over the past few years have adopted a Disorderly Housing Ordinance. Communities have found that chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

Most ordinances define a "disorderly house" as any building which the Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, cohabitees, residents, guests or invitees and that would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building. This ordinance would not have an impact for someone calling for service as it relates to protection like a domestic assault, sexual assault, or protection from abuse orders.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider adopting the proposed ordinance.

Previous Meetings and History: Presented and discussed at the 1/18/2022 Council Workshop.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Portland Disorderly Housing Ordinance and Gorham Disorderly Housing Ordinance.

ORDINANCE 05-02072022

City Council Ordinance

IN CITY COUNCIL

ADOPTING A DISORDERLY HOUSING ORDINANCE

Be it ordained, that the City Council hereby adopt the Disorderly Housing Ordinance (attached).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance 05-02072022

CITY OF AUBURN
DISORDERLY HOUSE ORDINANCE

SECTION 1. TITLE.

This Ordinance shall be known as the "City of Auburn Disorderly House Ordinance."

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City of Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Nothing contained in this Ordinance is intended to dissuade, discourage or prohibit any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities, including, but not limited to, the Auburn Police Department.

SECTION 3. LEGISLATIVE FINDINGS.

The City Council hereby finds that:

(a) The City has a substantial and compelling interest in protecting the health, safety, property, and welfare of its citizens and the neighborhoods affected by chronic unlawful or nuisance activity as well as in not dissuading, discouraging or prohibiting any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities.

(b) Chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

(c) The existing ordinances and enforcement processes of the City do not adequately control chronic unlawful or nuisance activity or its detrimental effects on citizens and neighborhoods where such chronic activity occurs.

(d) Establishing the regulatory framework contained herein will alleviate the problems created by chronic unlawful or nuisance activity through early intervention by the Police Department.

SECTION 4. DISORDERLY HOUSES PROHIBITED.

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, or rooming house (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and that would have a tendency to unreasonably

disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding any request for police protection or any police intervention in the face of a threat or a perceived threat to person or property, or any request for the assistance of the police to enforce a court order, including, but not limited to, circumstances in which the request for assistance or other police intervention arises from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building); owners, tenants, or invitees of owners or tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

(2) The police have visited three (3) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and involve the arrest or summons of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law (excluding arrests or summonses arising from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or nearthe building), or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. Chapter 45 or prostitution or public indecency under 17-A M.R.S.A. Chapter 35 has occurred at the property.

Unit per Building	Number of Visits by Police in any 30-day Period
5 or less	3 Visits
6 – 10	4 Visits
11 or more	5 Visits

(c) The situation to which the visit pertains shall be documented by the Police Department. Such documentation may include sworn affidavits by named citizens that may be sufficient to create a reasonable suspicion said illegal activity has occurred.

SECTION 5. NOTICE OF DISORDERLY HOUSE.

(a) Whenever the Police Department has identified a building as a disorderly house, it shall cause written notification of the events that form the basis for that designation to be given to the owner. The notice shall require the owner to meet with representatives of the City (including the Police Department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his/her designee, to identify ways in which the problems that have been identified will be eliminated.

(b) At the time of said meeting, the owner shall be obligated to provide to the City the following documentation:

(1) A list of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

(2) Copies of all leases or occupancy agreement(s) with tenants or other persons residing in the building (confidential personal or financial information may be omitted);

(3) Contracts with any property manager or other person responsible for the orderly operation of the building; and

(4) Proof of building ownership.

In addition, the owner shall agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the Police Department. The Police Chief or his or her designee has authority to execute such agreements on behalf of the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this Ordinance, and the City may file a complaint in court seeking all remedies permitted by law as set forth in Section 7 of this Ordinance.

(c) If the same building should be classified as a disorderly house by the Police Department on a subsequent occasion within three (3) years, then the City is under no obligation to meet with the owner but may, after notice and hearing before the City Council, condemn and post the building or any units therein against occupancy as set forth in Section 7(a), and/or proceed directly with a complaint in court seeking all remedies permitted by law as set forth in Section 7(a).

(d) The notices provided for in this section may be given to any person, including any legal entity having the right of legal title or the beneficial interest in the disorderly house or any portion thereof, as that interest is recorded in the assessing records of the City or the Registry of Deeds of Androscoggin County, which shall be sufficient for all legal purposes. Notice shall be provided to the owner and any non-owner occupants of the building (if known).

SECTION 6. ENFORCEMENT.

(a) It shall be the duty of the Police Department to administer and enforce the provisions of this Ordinance. If the owner (a) refuses to meet with representatives of the City as set forth in Section 5 above, (b) refuses to agree to take effective measures to address the disorderly house, (c) takes ineffective measures to address the disorderly house as determined by the City, (d) fails to implement the agreement reached with the City to address the disorderly house, or (e) if, in the discretion of the City, the disorderly house requires immediate posting in order to protect the public health, safety or welfare, the City may condemn and post the building or any units therein against occupancy, and/or may file a legal action against the owner and/or violator seeking any and all remedies to which it is entitled pursuant to State and local laws, including, without limitation, declaratory and injunctive relief.

(b) In the event that condemnation and posting the building or any units therein against occupancy is necessary to address the disorderly house, the City shall provide all non-owner occupants of the building with written notice of said condemnation at least thirty (30) days in advance of the act of condemnation or the posting against occupancy, if the list of tenants is known to the City.

(c) In the event of legal action against an owner and/or violator for a disorderly house violation, the City shall name the non-owner occupants of the building (if known) as parties-in-interest to said legal action.

SECTION 7. VIOLATIONS.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Police Department issued hereunder shall be subject to a penalty as provided herein.

SECTION 8. CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than one thousand dollars ($1,000.00) and not more than two thousand dollars ($2,000.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the City is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the City in the enforcement of this Ordinance, including, but not limited to, staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the City of Auburn.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022 **Ordinance:** 06-02072022

Author: Jason Levesque, Mayor

Subject: Alignment of board and commission scope and responsibility

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Information: As a follow-up to the December 18th meeting announcement of my intent to complete the work of modernization of our committees and boards that we started last year, I reconvened the committee for one meeting on January 10th to specifically redesign the ad hoc committee on sustainability, conservation and its sub committees, and agriculture.

After input from the ad-hoc committee and Conservation Commission, Agriculture Board, and Forestry Board the proposed ordinance is being submitted for council adoption.

City Budgetary Impacts: NA

Staff Recommended Action: Consider the proposed ordinance amendment.

Previous Meetings and History: See above under information

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Ordinance Language

DIVISION 5. ~~CONSERVATION COMMISSION~~

Sec. 2-477. Commission established.

~~A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of seven members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be one ex-officio member of the board consisting of the city manager or his/her designee.~~

~~(Ord. No. 07-02022015, § 1, 2-17-2015)~~

Sec. 2-478. Purpose.

~~The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.~~

~~(Ord. No. 07-02022015, § 2, 2-17-2015)~~

Sec. 2-479. Qualifications.

~~All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.~~

~~(Ord. No. 07-02022015, § 3, 2-17-2015)~~

Sec. 2-480. Powers and duties.

~~The commission:~~

~~(1) Shall keep records of its meetings and activities and make an annual report to the city council;~~

~~(2) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;~~

~~(3) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;~~

~~(4) Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any board of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;~~

(5) May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;

(6) Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;

(7) Shall coordinate applications for grants from the federal or state governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.

(8) Shall undertake any other conservation or environmental activity referred to it by the city council.

(9) May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.

(10) Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;

(11) Shall raise community awareness regarding the importance of the community forest;

(12) May raise funds to establish a community forest trust fund;

(13) Shall adopt by-laws to govern the internal affairs of the commission; and

(14) May perform such other functions as are permitted by this Code.

(Ord. No. 07-02022015, § 4, 2-17-2015)

Sec. 2-481. Officers, meetings and records.

(a) The members shall elect from their membership a chairperson, treasurer, a vice-chairperson and a secretary. Officers shall serve two-year terms.

(b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.

(c) Minutes shall be kept of all meetings.

(Ord. No. 07-02022015, § 5, 2-17-2015)

Sec. 2-482. Committees.

(a) *Establishment:* The chairperson may appoint special committees for purposes and terms approved by the conservation commission.

(b) *Lewiston-Auburn Community Forest Board:* The Lewiston-Auburn Community Forest Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the community forest board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The conservation commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a community forest program that enhances, preserves, protects, and maintains the community forest. Primary activities are to:

(1) Advocate for the community forest;

(2) Develop a plan for and provide advice on the management of the public sector portion of the community forest;

(3) Educate the communities about the community forest and how to care for it;

(4) Raise funds, including grants, and establish a community forest trust;

(5) Develop and advise on policy changes for approval by the city councils;

(6) Advise and consult on community forest issues and projects;

(7) Communicate and coordinate with city staff, planning boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.

(Ord. No. 07-02022015, § 6, 2-17-2015)

Sec. 2-482.1. Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.

(Ord. No. 07-02022015, § 7, 2-17-2015)

DIVISION 8. AGRICULTURE COMMITTEE[1]

Sec. 2-482.11. Purpose.

The purpose of the agriculture committee shall be to proactively build a stronger food, agricultural, and resource economy in the city and to address the ongoing needs of protecting and promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.12. Established.

An agriculture committee is hereby established to consist of nine members, of whom seven members shall be appointed by the city council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the city council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint one members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

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[1]Editor's note(s)—Ord. No. 14-12022019, adopted December 9, 2019, set out provisions intended for use as Div. 8, §§ 2-485.1—2-485.7. To preserve the style of this Code, and at the editor's discretion, these provisions have been included here as Div. 8, §§ 2-482.11—2-482.17.

Sec. 2-482.13. Qualifications.

All members of the committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the city.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.14. Powers and duties.

The committee shall:

(1) Make recommendations to the planning board and city council and consult with the conservation commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in the city.

(2) Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of the city's agricultural and forestry products;

(3) Seek to coordinate the activities of local, state and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;

(4) Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.

(5) Periodically review the city comprehensive plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify the city's policies and ordinances to better support agriculture and forestry.

(6) Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.

(7) Review applications for a voluntary municipal farm support program and perform related duties as requested by the city council.

(8) Keep records of its meetings and activities and make an annual report to the city council;

(9) Undertake any other agricultural or forestry related activity referred to it by the city council;

(10) Adopt by-laws to govern the internal affairs of the committee including meeting frequency;

(11) May perform such other functions as are permitted by this Code.

(12) Should any project in the city require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the planning board within 60 days.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.15. Officers, meetings and records.

(a) The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.

~~(b) All meetings of the committee shall be open to the public, and notice, shall be provided to the public about such meetings.~~

~~(c) The committee may request that testimony provided during public hearings in front of the committee be provided under oath.~~

~~(d) Minutes shall be kept of all meetings.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.16. Committees.~~

~~The committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.17. Quorum and necessary vote.~~

~~As to any matter requiring a public hearing, no business shall be transacted by the committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

ORDINANCE 06-02072022

City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amends the Auburn Code of Ordinances, Chapter 2 – Administration, Article V. Boards, Commissions and Committees by striking Division 5, Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 5. SUSTAINABILITY AND NATURAL RESOURCE MANAGEMENT BOARD (SNRB)

Sec. 2-477. Board established.

A Board is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of six members, including representatives of the city council, planning board, and four standing working groups on agriculture, conservation, the community forest, and sustainability. The planning board chair and the mayor may either serve on this board or appoint a representative to serve as members of the SNRB for a term of two years. The standing working groups on agriculture, conservation, the community forest, and sustainability shall nominate one representative each for approval by the Council; these members shall serve staggered three-year terms. There shall be one ex officio member of the board, consisting of the city manager or his/her designee.

Sec. 2-478. Purpose.

The purpose of the SNRB shall be to advance Auburn's commitment to sustainability by serving as a research, advisory and advocacy group on environmental issues and natural resource management within the City. The SNRB is created with the purpose of improving the relationship and communication between the City Council, existing committees, and staff with the aim of creating more effective organization of city sustainability efforts.

Sec. 2-479. Qualifications.

All members of the SNRB shall be selected on the basis of their knowledge of or interest in conservation, environmental science, agriculture, forestry, energy or related fields.

Sec. 2-480. Powers and duties.

(1) SNRB will provide an interface between City leadership (City Council/ Mayor/City Manager), and four standing working groups (Conservation, Community Forest, Agriculture, Sustainability). SNRB will assure communication and coordination among the standing working groups, Council, and city staff.

(2) SNRB will meet quarterly or as needed to set priorities for the standing working groups, review working group accomplishments, coordinate efforts, provide operating funds approved by the City Council for working group events, publications, etc. and develop brief quarterly updates for the Council. SNRB shall maintain a working relationship with the Planning Board.

(3) The City shall identify staff to be resources for SNRB . It is not expected that staff attend all meetings, but rather attend or provide advice as needed.

(4) SNRB may, upon approval by the City Manager or City Council advertise, and in coordination with the working groups, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;

(5) SNRB shall coordinate with City Manager any applications for grants from the federal or state governments, or private sources, to carry out the City's commitments to sustainability and responsible natural resource management;

(6) SNRB may recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes;

(7) SNRB may perform such other functions as are permitted by this Code.

Sec. 2-481. Officers, meetings and records.

(1) SNRB shall appoint a chair and secretary.

(2) SNRB shall appoint members of the 4 standing working groups. Working group membership will be between 5 and 11 depending on need and volunteer interest.

(3) Standing working groups shall provide a quarterly report to the SNRB.

(4) All meetings of the SNRB and standing working groups shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.

(5) Minutes shall be kept of all meetings. Minutes and agendas will be made public through the City's website.

Sec. 2-482. Standing Working Groups

Establishment: The SNRB will oversee four standing working groups, each of which will have a distinct focus on agriculture, conservation, the community forest, or sustainability. Goals of the working groups are outlined below.

Conservation Working Group

The Conservation Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The purpose of the Conservation Working Group shall be to promote responsible stewardship of the natural environment in Auburn through research, advocacy, and education.

The Conservation Working Group:

a) Shall seek to coordinate the activities of conservation and recreation bodies organized for similar purposes;

b) In coordination with the City GIS staff shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The working group may recommend to the city council or to any Board of the city a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements.

c) Shall promote public awareness and appreciation for Auburn's natural environment through a broad education program. This may include organizing events, distributing educational materials, and coordinating with local conservation organizations, both private and public.

d) Shall support and advise City staff on the sustainable management of Auburn's natural resources, and promote cooperation and information-sharing with regional, state, and federal agencies.

e) Shall provide advisory opinions and recommendations to the City Council, Planning Board, and other municipal elected or appointed officials on matters pertaining to natural resource management in Auburn.

f) Shall assist with and coordinate applications for grants from the Federal or State governments, or private sources, to improve conservation assets for the city including parks, trails, and the community forest.

g) Shall undertake any other conservation or environmental activity referred to it by the city council.

Community Forest Working Group

The Lewiston-Auburn Community Forest Board will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The Community Forest Working Group shall develop and implement a program that promotes the socio-economic, environmental, and esthetic values of the Community Forest.

The Community Forest Working Group:

a) Shall advocate for Auburn's Community Forest, defined as the sum of street trees, trees associated with public facilities including parks and schools, and public woodlots under the jurisdiction of the City or the School Department.

b) Shall maintain Auburn's Tree City USA certification which includes Maine Arbor Week Activities.

c) Shall raise funds and develop grant applications to support the Community Forest.

d) Shall collaborate and coordinate with public and private organizations including the working groups of the Sustainability & Natural Resources Board, Planning Board and City Council to provide advice, information and policy recommendations.

e) Shall advise staff concerning the Street Tree Inventory and Public Woodlots Forest Management Plan.

f) Shall meet jointly with representatives from Lewiston to maintain the Lewiston-Auburn Community Forest Board (LACFB) established and continually operating since 2001. LACFB jointly established and manages the tree nursery on North Auburn Road under an easement for the benefit of both cities.

g) Shall provide education opportunities to the public to enhance understanding and appreciation of issues related to the Community Forest, including tree planting, tree care, invasive plant and insect issues, and the socio-economic benefits of the Community Forest.

Natural Products Working Group

The Natural Products Working Group will be a standing working group of the Sustainability and Natural Resource Management Board. The purpose of Auburn's Natural Products Working Group shall be to proactively build a stronger natural resource economy in Auburn and to address the ongoing needs of protecting and promoting farms, farmland, woodlots, and natural resources based industries.

The Natural Products Working Group shall:

a) Work to protect soils of statewide importance

b) Promote local resource based economies

c) Undertake education and community outreach to promote local commodities

d) Provide assistance and contacts for local agricultural and resource based commercial initiatives at the state and federal levels

e) Raise funds and develop grant applications to support the goals of promoting natural products in Auburn.

f) Review and provide recommendations concerning solar installations in AGRP zoned areas

Sustainability Working Group

The Sustainability Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The mission of the Sustainability Working Group is to assist citizens of Auburn in making Auburn a Sustainable Community in the domains of environment, government operations, and culture.

The Sustainability Working Group:

a) Through application of existing research and data acquired at the local level shall assist the city in developing policies and actions in sustainability that are aligned with the state's climate focus areas: modernization of buildings, transportation, emission reductions, environmental protection, healthy and resilient communities, investment in climate-ready infrastructure, and engagement of our citizens

b) Shall assist City staff in identifying and securing grant funding to supplement city budget outlays for sustainability work.

c) Shall work with the city staff and community partners to develop outcome metrics to measure the effectiveness of sustainability policies and actions. For example: do participation rates for curbside recycling or food composting increase with new recycling/compost bins and a targeted community education program?

d) Shall collaborate with other community groups, the city and quasi-governmental groups to share resources and avoid duplication of efforts in pursuit of shared sustainability goals.

e) Shall assist the city in budget planning to fund a Sustainability Manager position overseeing development of an Auburn Climate Action Plan, as well as current/future sustainability initiatives. Assist the city and the Sustainability Manager with the development of the Auburn Climate Action Plan.

Sec. 2-482.1. Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by commissions under state statute which are not explicitly provided in this article may be exercised by the Board created herein.

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **December 2021 Financial Report**

DATE: **January 12, 2022**

The following is a discussion regarding the significant variances found in the City's December financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its sixth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 50.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through December 31st, including the school department were $53,273,862, or 55.82%, of the budget. The municipal revenues including property taxes were $37,251,301, or 57.18% of the budget which is 0.20% higher than last year during the same period. The accounts listed below are noteworthy.

The current year tax revenue is at 57.08% as compared to 57.18% last year. This is an increase over last year of $167,100.

Excise tax for the month of December is at 51.68%. This is a decrease from FY 20, but we are still over projected revenue for FY 22 by 1.68%.

State Revenue Sharing at the end of December is 84.74% or $2,669,295 which is $891,799 more than last year in December.

Expenditures

City expenditures through December 2021 were $28,611,933 or 60.74% of the budget. This is 0.26% more than the same period last year. Noteworthy variances are:

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

A. The main variances are Debt Service is $96,424 more than FY20, Facilities due to payment of Property and Casualty Insurance Premium earlier than in FY 20, Public Safety Departments are higher than last year by $257,859 and Public Works is higher than FY 20 by $110,158.

Investments

This section contains an investment schedule as of December 31st. Currently the City's funds are earning an average interest rate of .24%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of December 2021, November 2021, and June 2021

	December 31 2021	November 30 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 23,678,638	$ 22,235,704	$ 1,442,934	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,207,628	1,196,474	11,154	1,895,710
TAXES RECEIVABLE-CURRENT	21,468,552	21,795,718	(327,166)	55,238
DELINQUENT TAXES	405,331	401,870	3,461	809,349
TAX LIENS	622,401	747,604	(125,203)	1,091,138
NET DUE TO/FROM OTHER FUNDS	4,365,615	927,093	3,438,522	-
TOTAL ASSETS	**$ 51,748,165**	**$ 47,304,463**	**$ 4,443,702**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (278,363)	$ (1,897)	$ (276,466)	$ (985,754)
PAYROLL LIABILITIES	(1,343,596)	1,933,735	(3,277,331)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(31,844)	(34,982)	3,138	-
ESCROWED AMOUNTS	(29,188)	(29,183)	(5)	(27,653)
DEFERRED REVENUE	(22,321,551)	(22,770,564)	449,013	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (24,004,633)**	**$ (20,902,982)**	**$ (3,101,651)**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (24,945,896)	$ (23,603,845)	$ (1,342,051)	$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
TOTAL FUND BALANCE	**$ (27,743,532)**	**$ (26,401,481)**	**$ (1,342,051)**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (51,748,165)**	**$ (47,304,463)**	**$ (4,443,702)**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 28,561,756	57.08%	$ 49,655,498	$ 28,394,656	57.18%	$ 167,100
PRIOR YEAR TAX REVENUE	$ -	$ 463,274		$ -	$ 403,930		$ 59,344
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 2,287,012	51.68%	$ 4,112,861	$ 2,532,007	61.56%	$ (244,995)
PENALTIES & INTEREST	$ 120,000	$ 59,213	49.34%	$ 150,000	$ 55,798	37.20%	$ 3,415
TOTAL TAXES	$ 56,237,450	$ 32,661,304	58.08%	$ 55,338,359	$ 32,791,931	59.26%	$ (130,627)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 146,146	88.04%	$ 166,000	$ 116,746	70.33%	$ 29,400
NON-BUSINESS	$ 300,200	$ 198,549	66.14%	$ 392,400	$ 181,245	46.19%	$ 17,304
TOTAL LICENSES	$ 466,200	$ 344,695	73.94%	$ 558,400	$ 297,991	53.37%	$ 46,704
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 2,669,295	84.74%	$ 2,708,312	$ 1,777,496	65.63%	$ 891,799
WELFARE REIMBURSEMENT	$ 90,656	$ 25,852	28.52%	$ 90,656	$ 11,362	12.53%	$ 14,490
OTHER STATE AID	$ 32,000	$ 12,579	39.31%	$ 32,000	$ 10,269	32.09%	$ 2,310
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 3,129,318	80.42%	$ 3,459,352	$ 2,219,980	64.17%	$ 909,338
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 93,966	50.96%	$ 198,440	$ 79,352	39.99%	$ 14,614
PUBLIC SAFETY	$ 176,600	$ 62,288	35.27%	$ 181,600	$ 71,799	39.54%	$ (9,511)
EMS TRANSPORT	$ 1,250,000	$ 747,858	59.83%	$ 1,200,000	$ 594,473	49.54%	$ 153,385
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 904,112	56.12%	$ 1,580,040	$ 745,624	47.19%	$ 158,488
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 22,384	53.94%	$ 55,000	$ 12,003	21.82%	$ 10,381
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 10,313	25.78%	$ 80,000	$ 29,143	36.43%	$ (18,830)
RENTS	$ 125,000	$ 7,189	5.75%	$ 35,000	$ 27,125	77.50%	$ (19,936)
UNCLASSIFIED	$ 20,000	$ 22,205	111.03%	$ 10,000	$ 52,713	527.13%	$ (30,508)
COMMERCIAL SOLID WASTE FEES	$ -	$ 24,966		$ -	$ 25,122		$ (156)
SALE OF PROPERTY	$ 120,000	$ 2,936	2.45%	$ 25,000	$ 67,651	270.60%	$ (64,715)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 116,055	49.60%	$ 230,000	$ 96,408	41.92%	$ 19,647
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 5,824	29.12%	$ 20,000	$ 5,554	27.77%	$ 270
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 189,488	6.53%	$ 2,838,673	$ 303,716	10.70%	$ (114,228)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 37,251,301**	57.18%	**$ 63,829,824**	**$ 36,371,245**	56.98%	**$ 880,056**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 15,640,250	54.12%	$ 26,217,074	$ 13,545,807	51.67%	$ 2,094,443
EDUCATION	$ 518,821	$ 382,312	73.69%	$ 717,415	$ 232,079	32.35%	$ 150,233
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ -	0.00%	$ 970,862	$ -	0.00%	$ -
TOTAL SCHOOL	$ 30,298,286	$ 16,022,562	52.88%	$ 27,905,351	$ 13,777,886	49.37%	$ 2,244,676
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 53,273,862**	**55.82%**	**$ 91,735,175**	**$ 50,149,131**	**54.67%**	**$ 3,124,731**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH December 31, 2021 VS December 31, 2020

DEPARTMENT	FY 2022 BUDGET	EXP THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	EXP THRU DEC 2020	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 74,125	70.70%	$ 99,000	$ 34,012	34.36%	$ 40,113
CITY MANAGER	$ 447,401	$ 275,892	61.67%	$ 776,095	$ 331,859	42.76%	$ (55,967)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 530,465	58.19%	$ 609,260	$ 422,073	69.28%	$ 108,392
CITY CLERK	$ 237,474	$ 118,581	49.93%	$ 216,946	$ 117,784	54.29%	$ 797
FINANCIAL SERVICES	$ 810,303	$ 380,665	46.98%	$ 751,849	$ 374,259	49.78%	$ 6,406
HUMAN RESOURCES	$ 220,250	$ 101,835	46.24%	$ 157,057	$ 75,352	47.98%	$ 26,483
TOTAL ADMINISTRATION	$ 2,731,915	$ 1,481,563	54.23%	$ 2,610,207	$ 1,355,339	51.92%	$ 126,224
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 390,474	43.36%	$ 1,339,047	$ 477,699	35.67%	$ (87,225)
ECONOMIC DEVELOPMENT	$ 108,469	$ 48,104	44.35%				$ 48,104
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 138,256	26.99%				$ 138,256
HEALTH & SOCIAL SERVICES	$ 119,875	$ 41,775	34.85%	$ 199,282	$ 60,569	30.39%	$ (18,794)
RECREATION & SPORTS TOURISM	$ 584,056	$ 284,976	48.79%	$ 520,474	$ 322,157	61.90%	$ (37,181)
PUBLIC LIBRARY	$ 1,052,163	$ 526,082	50.00%	$ 1,031,533	$ 515,766	50.00%	$ 10,316
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 1,429,667	43.62%	$ 3,090,336	$ 1,376,191	44.53%	$ 53,476
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 6,955,516	89.93%	$ 7,577,735	$ 6,859,092	90.52%	$ 96,424
FACILITIES	$ 677,872	$ 435,450	64.24%	$ 667,494	$ 273,623	40.99%	$ 161,827
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 3,258,388	44.42%	$ 6,840,635	$ 3,238,598	47.34%	$ 19,790
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 11,291,754	67.01%	$ 16,189,004	$ 11,010,723	68.01%	$ 281,031
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 2,891,401	53.09%	$ 5,302,131	$ 2,678,779	50.52%	$ 212,622
POLICE DEPARTMENT	$ 4,343,924	$ 2,193,440	50.49%	$ 4,332,339	$ 2,148,203	49.59%	$ 45,237
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 5,084,841	51.94%	$ 9,634,470	$ 4,826,982	50.10%	$ 257,859
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 2,273,209	44.77%	$ 4,979,329	$ 2,163,051	43.44%	$ 110,158
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 414,997	38.07%	$ 1,051,318	$ 437,334	41.60%	$ (22,337)
WATER AND SEWER	$ 792,716	$ 390,602	49.27%	$ 792,716	$ 390,602	49.27%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 3,078,808	44.24%	$ 6,823,363	$ 2,990,987	43.83%	$ 87,821
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 176,115	99.50%	$ 170,000	$ 167,110	98.30%	$ 9,005
E911 COMMUNICATION CENTER	$ 1,161,479	$ 580,740	50.00%	$ 1,134,304	$ 567,341	50.02%	$ 13,399
LATC-PUBLIC TRANSIT	$ 225,000	$ -	0.00%	$ 331,138	$ -	0.00%	$ -
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 766,855	41.83%	$ 1,905,442	$ 744,451	39.07%	$ 22,404
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 28,611,933**	**60.74%**	**$ 45,932,563**	**$ 27,780,234**	**60.48%**	**$ 831,699**
EDUCATION DEPARTMENT	$ 48,341,366	$ 15,394,746	31.85%	$ 45,802,612	$ 17,686,312	38.61%	$ (2,291,566)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 44,006,679**	**46.11%**	**$ 91,735,175**	**$ 45,466,546**	**49.56%**	**$ (1,459,867)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF December 31, 2021

INVESTMENT		FUND	BALANCE December 31, 2021	BALANCE November 30, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,346,170.25	$ 6,344,838.15	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,308.09	$ 1,051,084.98	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 14,049,006.38	$ 9,487,185.88	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,519.47	$ 52,508.32	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,572.94	$ 339,500.87	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,734.96	$ 226,686.84	**0.25%**
ANDROSCOGGIN BANK	127	ARPA GRANT FUNDS	$ 6,001,939.47	$ -	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,638.43	$ 62,625.14	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 142,388.24	$ 142,357.48	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,367.12	$ 15,363.86	**0.25%**
NOMURA		ELHS Bond Proceeds	$ 43,745,020.00	$ 48,303,196.00	**0.15%**
GRAND TOTAL			**$ 72,032,665.35**	**$ 66,025,347.52**	**0.24%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	Beginning Balance 12/1/2021	December 2021 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 12/31/2021
Bluecross	**$ 16,259.58**	$ 13,425.20	$ (4,900.84)		$ (4,973.00)		**$ 19,810.94**
Intercept	**$ 200.00**	$ 100.00	$ (200.00)				**$ 100.00**
Medicare	**$ 169,340.31**	$ 152,210.38	$ (61,307.27)		$ (112,976.09)		**$ 147,267.33**
Medicaid	**$ 51,198.17**	$ 44,175.40	$ (25,811.42)		$ (9,932.62)		**$ 59,629.53**
Other/Commercial	**$ 138,569.06**	$ 33,461.40	$ (22,785.22)		$ (21,706.17)	$ (21,186.31)	**$ 106,352.76**
Patient	**$ 155,449.38**	$ 8,974.40	$ (12,714.51)	$ 50.00	$ 3,432.51	$ (20,000.00)	**$ 135,191.78**
Worker's Comp	**$ -**						**$ -**
TOTAL	**$ 531,016.50**	**$ 252,346.78**	**$ (127,719.26)**	**$ 50.00**	**$ (146,155.37)**	**$ (41,186.31)**	**$ 468,352.34**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 60,901.87	3.33%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ 1,000.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 1,078,354.63	58.89%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 380,895.70	20.80%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 219,694.69	12.00%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 86,106.25	4.70%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 4,298.20	0.23%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 1,831,251.34	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of December 31, 2021

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Totals	% of Total
Bluecross	10	10	13	5	12	13	63	3.01%
Intercept	0		4	4	1	1	10	0.48%
Medicare	244	172	227	174	226	186	1229	58.75%
Medicaid	82	54	100	64	80	48	428	20.46%
Other/Commercial	34	32	48	44	51	35	244	11.66%
Patient	45	19	12	13	15	10	114	5.45%
Worker's Comp	1	0	2	1	0	0	4	0.19%
TOTAL	416	287	406	305	385	293	2092	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of December 31, 2021

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 9,789.79	49%	$ 1,019.80	5%	$ 3,653.80	18%		0%	$ 5,347.55	27%	$ 19,810.94	4.23%
Intercept	$ -		$ 100.00								$ 100.00	0.02%
Medicare	$ 86,707.16	59%	$ 20,447.20	14%	$ 12,510.20	8%	$ 9,069.80	6%	$ 18,532.97	13%	$ 147,267.33	31.44%
Medicaid	$ 47,926.97	80%	$ 5,902.98	10%	$ 3,990.96	7%	$ 224.48	0%	$ 1,584.14	3%	$ 59,629.53	12.73%
Other/Commercial	$ 36,219.62	34%	$ 29,979.73	28%	$ 5,434.80	5%	$ 7,292.80	7%	$ 27,425.81	26%	$ 106,352.76	22.71%
Patient	$ 38,112.33	28%	$ 24,530.66	18%	$ 40,879.57	30%	$ 17,133.60	13%	$ 14,535.62	.	$ 135,191.78	28.87%
Worker's Comp	$ -										$ -	0.00%
TOTAL	$ 218,755.87		$ 81,980.37		$ 66,469.33		$ 33,720.68		$ 67,426.09		$ 468,352.34	
	47%		18%		14%		7%		14%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of December 31, 2021

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 44,908.78	$ 232.00	$ 471.19		$ 1,942.39	$ 245.00					$ 157,242.00	$ 109,031.40	$ 587.26	$ 10,177.50	$ 2,416.38	$ 6,828.83
Expenditures FY22	$ 143,018.00	$ 39.98			$ 1,789.74	$ 676.42				$ 15,676.00	$ 261,721.14	$ 101,234.49	$ 2,222.70	$ -	$ 2,379.07	$ 9,695.78
Fund Balance 12/31/2021	**$ 501,095.97**	**$ 6,728.98**	**$ 34,837.54**	**$ 1,221.68**	**$ 5,284.03**	**$ (431.42)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 293.40**	**$ (12,867.43)**	**$ 27,271.07**	**$ (104,948.57)**	**$ 5,339.70**	**$ 22,773.75**	**$ 4,356.29**	**$ (46.02)**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ -	$ 300.00	$ 245,818.82	$ 1,103.93	$ 34,777.00		$ 8,358.37			$ -	$ 8,254.01			$ 8,000.00	$ 20.64	$ 181,706.71
Expenditures FY22	$ 1,110.84		$ 384,044.68		$ 37,136.61	$ (2,600.00)	$ 1,689.97		$ 1,899.20	$ 800.00	$ 2,280.00	$ 780.00			$ 4,000.00	$ 237,246.04
Fund Balance 12/31/2021	**$ (1,110.84)**	**$ (8,205.29)**	**$ 1,564,735.83**	**$ 31,674.25**	**$ 10,479.73**	**$ 2,560.00**	**$ 9,397.55**	**$ 20,536.23**	**$ 24,347.84**	**$ (800.00)**	**$ 98,998.45**	**$ (780.00)**	**$ 189.35**	**$ (1,522.60)**	**$ 24,510.18**	**$ 169,555.49**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22								$ (3,111.14)	$ 47,000.00		$ 920.34		$ 168,119.06
Expenditures FY22	$ 1,304.77	$ 1,432.88	$ -	$ (1,610.17)		$ 23,325.00		$ 17,055.95	$ 21,646.39		$ 242,912.17	$ 1,710.00	$ 303,786.91
Fund Balance 12/31/2021	**$ 4,911.03**	**$ (1,432.88)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,388.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,530,907.67**	**$ (1,710.00)**	**$ 116,655.84**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,902,715.11
Expenditures FY22			$ 312,250.49	$ 217,459.00	$ 77,327.19	$ 510,286.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 141,180.08	$ 25,046.84	$ 23,393.75	$ 3,203,855.11
Fund Balance 12/31/2021	**$ 158,933.46**	**$ 806,274.01**	**$ 271,740.80**	**$ (506,843.49)**	**$ 532,821.84**	**$ (819,678.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 75,180.65**	**$ 22,987.84**	**$ (100,374.06)**	$ 7,928,815.89

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for December 2021

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of December 31, 2021.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of December 31, 2021.

Current Assets:
As of the end of December 2021 the total current assets of Ingersoll Turf Facility were $226,687. This consisted cash and cash equivalents of $226,687.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of December 31, 2021 were $89,514.

Liabilities:
Ingersoll had accounts payable of $1,740 as of December 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through December 2021 were $80,790. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through December 2021 were $67,922. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of December 2021, Ingersoll has an operating gain of $12,868 compared to a net loss in November of $4,281.

As of December 31, 2021, Ingersoll has a increase in net assets of $12,868.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
December 31, 2021
Business-type Activities - Enterprise Fund

		December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,687	$ 226,640	$ 47
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,687	226,640	47
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,201	316,154	47
LIABILITIES				
Accounts payable		$ 1,740	$ -	1,740
Interfund payable		$ 34,755	$ 53,597	(18,842)
Total liabilities		36,495	53,597	(17,102)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 190,192	$ 173,043	$ 17,149
Total net assets		**$ 279,706**	**$ 262,557**	**$ 17,149**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
December 31, 2021

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 80,790
Operating expenses:	
Personnel	52,682
Supplies	5,243
Utilities	5,045
Repairs and maintenance	1,952
Rent	-
Depreciation	-
Capital expenses	3,000
Other expenses	-
Total operating expenses	67,922
Operating gain (loss)	12,868
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	12,868
Transfers out	-
Change in net assets	12,868
Total net assets, July 1	266,838
Total net assets, December 31, 2021	**$ 279,706**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 5,275	21.10%	$ 25,000	$ 6,800	27.20%
Batting Cages	$ 16,000	$ 7,870	49.19%	$ 13,000	$ 4,330	33.31%
Programs	$ 94,000	$ 23,775	25.29%	$ 90,000	$ 1,187	1.32%
Rental Income	$ 138,000	$ 43,566	31.57%	$ 102,000	$ 27,985	27.44%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 80,486	29.48%	$ 230,000	$ 40,302	17.52%
INTEREST ON INVESTMENTS	$ -	$ 304		$ -	$ 785	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 80,790**	**29.59%**	**$ 230,000**	**$ 41,087**	**17.86%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU DEC 2020	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 52,682	39.60%	$ 187,546	$ 65,311	34.82%	$ (12,629)
Purchased Services	$ 15,750	$ 1,952	12.39%	$ 14,450	$ 2,177	15.07%	$ (225)
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 5,243	209.72%	$ 4,000	$ 209	5.23%	$ 5,034
Utilities	$ 24,150	$ 5,045	20.89%	$ 25,650	$ 6,375	24.85%	$ (1,330)
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 3,000		$ -	$ -		$ 3,000
	$ 191,741	$ 67,922	35.42%	$ 250,146	$ 74,072	29.61%	$ (6,150)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 67,922**	**35.42%**	**$ 250,146**	**$ 74,072**	**29.61%**	**$ (6,150)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: NSB Arena Financial Reports for December 31, 2021

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of December 31, 2021.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, November 30, 2021.

Current Assets:
As of the end of December 2021 the total current assets of Norway Savings Bank Arena were ($1,384,675). These consisted of cash and cash equivalents of $265,152, accounts receivable of $12,068, and an interfund payable of $1,661,895.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of December 31, 2021 was $195,258.

Liabilities:
Norway Arena had accounts payable of $1,710 as of December 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through December 2021 are $341,047. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through December 2021 were $296,325. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of December 2021, Norway Arena has an operating gain of $44,722 compared to the November 2021 operating loss of $107,174 an decrease in the operating gain for the fiscal year of $62,402.

As of December 31, 2021, Norway Arena has a increase in net assets of $44,722.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $6,079 more than in FY21 and expenditures in FY22 are $76,735 less than last year in December.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
December 31, 2021
Business-type Activities - Enterprise Fund

		December 31, 2021	November 30, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 265,152	$ 265,348	$ (196)
Interfund receivables		$ (1,661,895)	$ (1,705,196)	$ 43,301
Prepaid Rent				$ -
Accounts receivable		12,068	115,915	$ (103,847)
	Total current assets	(1,384,675)	(1,323,933)	(60,742)
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(1,189,417)	(1,128,675)	(60,742)
LIABILITIES				
Accounts payable		$ 1,710	$ -	$ 1,710
Net OPEB liability		$ 43,811	$ 43,811	$ -
Net pension liability		42,634	42,634	-
Total liabilities		88,155	86,445	1,710
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,472,830)	$ (1,410,378)	$ (62,452)
Total net assets		**$ (1,277,572)**	**$ (1,215,120)**	**$ (62,452)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
December 31, 2021

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 341,047
Operating expenses:	
Personnel	104,595
Supplies	37,598
Utilities	108,932
Repairs and maintenance	14,260
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	296,325
Operating gain (loss)	44,722
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	44,722
Transfers out	-
Change in net assets	44,722
Total net assets, July 1	(1,322,294)
Total net assets, December 31, 2021	**$ (1,277,572)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU DEC 2020	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 9,000	54.55%	$ 16,500		0.00%	$ 9,000
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 494	24.70%	$ 3,000		0.00%	$ 494
Games Vending Machines	$ 3,000	$ 739	24.63%	$ 3,000		0.00%	$ 739
Vending Food	$ 2,000	$ 66	3.30%	$ 3,000	$ 5	0.17%	$ 61
Sponsorships	$ 185,000	$ 81,034	43.80%	$ 230,000	$ 89,950	39.11%	$ (8,916)
Pro Shop	$ 7,000	$ 2,754	39.34%	$ 7,000	$ 4,503	64.33%	$ (1,749)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 683,500	$ 221,675	32.43%	$ 727,850	$ 226,550	31.13%	$ (4,875)
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 13,960	27.92%	$ 10,900
Tournaments	$ 50,000		0.00%	$ 55,000		0.00%	$ -
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 341,047	33.27%	$ 1,122,850	$ 334,968	29.83%	$ 6,079

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through December 31, 2021 compared to December 31, 2020

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU DEC 2021	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU DEC 2020	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 104,595	30.81%	$ 328,913	$ 142,781	43.41%	$ (38,186)
Purchased Services	$ 123,928	$ 45,200	36.47%	$ 120,000	$ 71,578	59.65%	$ (26,378)
Supplies	$ 79,000	$ 37,598	47.59%	$ 83,000	$ 41,689	50.23%	$ (4,091)
Utilities	$ 250,350	$ 108,932	43.51%	$ 244,650	$ 117,012	47.83%	$ (8,080)
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 296,325	35.48%	$ 826,563	$ 373,060	45.13%	$ (76,735)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 296,325**	**35.48%**	**$ 826,563**	**$ 373,060**	**45.13%**	**$ (76,735)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 7, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C)) with possible action to follow under New Business during the meeting.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
February 22, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

A. Capital Investment and Purchasing Department Update – Dan Goyette (30 minutes)
B. Assessing update – Karen Scammon (30 minutes)
C. Executive Session, contract agreement, pursuant to 1 MRSA Sec. 405(6)(D)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Morin

Pledge of Allegiance

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

1. Order 24-02222022*
Confirming Chief Moen's appointment of Timothy Robinson as Constable with Firearm for the Auburn Police Department.

2. Order 25-02222022*
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

3. Order 26-02222022*
Appointing Paul Jacques to the Planning Board as associate member with a term expiration of 1-1-2023.

4. Order 27-01182022*
Re-appointing Steve Ness to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2026.

5. Order 28-01182022*
Appointing Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

6. Order 29-01182022*
Re-appointing Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

II. Minutes – February 7, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Recognition – Bettyann Sheats
- New Auburn Lewiston Airport Manager
- Age Friendly Committee Update
- Public Works Department Overview
- Communications Overview
- IT (Information Technology) Overview
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 05-02072022
Adopting a Disorderly House ordinance. Second reading.

2. Ordinance 06-02072022
Amending the Auburn Code of Ordinances, Chapter 2, Administration, Article V. Boards, Commissions and Committees by striking Division 5 Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board. Second reading.

VI. New Business

1. Order 30-02222022
Amending Tambrands II Municipal Development and Tax Increment Financing District. Public hearing and vote.

3. Ordinance 07-02072022
Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. Public hearing and first reading.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – January 2022 Final Monthly Report

IX. Executive Sessions:

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

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022

Author: Dan Goyette

Subject: Capital Investment and Purchasing Department Overview

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Information: The Department will be presenting an overview of Departmental Functions and ongoing projects.

City Budgetary Impacts: None.

Staff Recommended Action: Review and discussion

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022

Author: Karen Scammon, City Assessor

Subject: Assessing Standards

Information: Title 36 Section 327, Minimum Assessing Standards, governs the requirements of assessment ratios. The Assessor and Deputy Assessor will explain and discuss the current assessment ratios and the action to be taken to comply with all assessing standards. Additionally, staff will seek recommendation from the council on a future city wide revaluation.

City Budgetary Impacts: To be determined

Staff Recommended Action: Review and discussion

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Order:** 24-0222022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests City Council appointment of Timothy Robinson as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: N/A

ORDER 24-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council hereby confirms Chief Moen's appointment of Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Orders:** 25-02222022 through 29-02222022

Author: Sue Clements-Dallaire, City Clerk

Subject: Board and Committee Appointments

The Appointment Committee met on February 14, 2022 to review applications and make their nominations for various boards and committees of the City as follows:

Planning Board – Paul Jacques (new appointment), associate member with a term expiration of 1-1-2023.

Regulatory Advisory board – Kathy Shaw (new appointment), term expiration of 6-1-2022.

Sewer District Board of Trustees - Stephen Ness (re-appointment), term expiration of 3-1-2026.

Water District Board of Trustees – Eric Gould (new appointment) and Dan Bilodeau (re-appointment) , term expirations of 3-1-2026.

City Budgetary Impacts: None

Staff Recommended Action: Motion to appoint members as recommended by the Appointment Committee.

Previous Meetings and History: The Appointment Committee met on February 14, 2022 to make their recommendations.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Vacancies, Application Spreadsheet, Applications, Orders

February 14, 2022
Applicant List

Board or Committee	Ward	Last Name	First Name	Address
Planning Board				
	2	Cullen	Brian	166 Everett Road
	2	Hayes	Robert	172 Allen Avenue
	2	Heisey	Caroline	250 Main Street
	3	Jacques	Paul	1685 Minot Avenue
Regulatory Advisory Board				
	5	Shaw	Kathy	1200 Sopers Mill Road
Sewer District				
	4	Ness	Stephen	90 Brentwood Drive
Water District				
	1	*Bilodeau	Dan	207 North Auburn Road
	5	*Geiger	KC	1464 Pownal Road
	1	Gould	Eric	65 Quail Run
	1	Rhoades	Rex	880 Lake Shore Drive

* Indicates this applicant is seeking re-appointment

** Indicates this person is an associate/alternate member seeking full member status

VACANCIES

Audit Committee - 1 vacancy, term expiration TBD

City Council Student Representative - 2 appointments

Complete Streets Committee - 1 vacancy, term expiration January 1, 2025

Conservation Commission - 1 vacancy, term expiration June 1, 2024

Lewiston Auburn Transit Committee (LATC) - 1 vacancy with a term expiration of July 1, 2024

Parks & Recreation Advisory Board - 1 vacancy, term expiration October 1, 2023

Planning Board - 1 vacancy, associate position with a term expiration January 1, 2023

Registration Appeals Board Chair - 1 vacancy with a 4 year term

Regulatory Advisory Board - 4 vacancies, term expirations are June 1, 2022, and June 1, 2024

Sewer District Board of Trustees - 3 vacancies, term expirations are March 1, 2024 and March 1, 2026

Water District Board of Trustees - 2 vacancies, term expirations are March 1, 2026

BRIAN M. CULLEN
166 EVERETT ROAD
AUBURN, MAINE 04210
(207) 346-4650

FEB 03 2022

January 31, 2022

Susan Clements-Dallaire, City Clerk
60 Court Street
Auburn, ME 04210

Re: City of Auburn Planning Board

Dear Ms. Clements-Dallaire:

Enclosed please find my application to serve on the City of Auburn Planning Board, together with my resume, as requested.

I would be happy to further discuss my interest and qualifications for this position.

Thank you for your attention to this matter and please let me know if you need any additional information.

Very truly yours,

Brian M. Cullen

Brian M. Cullen

BRIAN M. CULLEN

166 EVERETT ROAD
AUBURN, MAINE 04210
(207) 346-4650

EXPERIENCE

2005 – 2020 **St. Paul Travelers Staff Counsel Office – Boston, MA**
Liability Practice Group Leader - assist Managing Attorney in establishing and enforcing high professional and practice standards among 12 liability attorneys and manage own liability caseload which includes CCU, MCU, Construction, Construction Defect and Product Liability cases. Major responsibilities include conducting jury and non-jury trials; engaging in internal file reviews, trial round tables, training presentations, claim department meetings and monthly liability attorneys meetings; supervising the workflow of 2 liability paralegals; serving on National Construction Leadership Team and serving as State Appellate Counsel for Massachusetts.

2005 – 2020 **Travelers Staff Counsel Office – Boston, MA**
Managing Attorney – established and enforced high professional and practice standards among 18 attorneys in 3 practice areas: Liability, Workers Compensation and Subrogation; managed support staff and the administrative and financial aspects of the office's operations; also managed own reduced liability caseload. Major responsibilities included recruitment, retention, development, and performance of professional and administrative staff; management of all aspects of office operations including case assignment, attorney billing, monthly reporting, quality control, expense management, Claim relationships, trial practice and internal and external training; also assisted with initiatives of regional and national management.

1991-2000 **Gallagher & Gallagher, P.C.– Boston, MA**
Shareholder, Senior Trial Attorney and Team Leader
Conducted 30 trials including 11 Superior Court jury trials. Supervised a litigation practice group of 2 associate attorneys, 1 paralegal and 1 secretary. Developed own client base of construction clients. Areas of practice included construction law, employment law and defense of personal injury cases.

1990-1991 **Sally & Fitch – Boston, MA**
Civil Litigation Attorney
Prepared and argued motions, conducted depositions and performed all aspects of pretrial case development. Areas of practice included business litigation, product liability law and personal injury.

1987-1989 **Bingham, Dana & Gould– Boston, MA**
Civil Litigation Attorney
Prepared and argued motions, presented cases at arbitration, conducted depositions and performed all aspects of pretrial case development. Areas of

practice included business litigation, product liability law and employment law. Completed internal year long associate training program including NITA style trial program.

1986-1987 **Deutsch, Williams, Brooks & DeRensis– Boston, MA**
Civil Litigation Attorney
Prepared and argued motions, attended evidentiary hearings, assisted at trials, conducted depositions and performed all aspects of pretrial case development. Areas of practice included business litigation, municipal law, white collar criminal law, employment and personal injury.

1985-1986 **Superior Court of Massachusetts– Boston, MA**
Law Clerk to Justices of Superior Court
Worked as a judicial law clerk to several superior court judges. Attended trials and hearings, performed legal research and prepared drafts of judicial decisions.

VOLUNTEER PROFESSIONAL ACTIVITIES

2006 - 2020 **Massachusetts Defense Lawyers Assoc.**
Director – served on Board of Directors of MDLA, which is the state affiliate of the Defense Research Institute (DRI). Member of Construction and Member Communications committees.

1994 – 2020 **Middlesex County Bar Association**
Past President and Director Law Day committees.

2000 – 2016 **Boston Municipal Court**
Pre-Trial Conferencer – served as a Pre-Trial Conferencer at Boston Municipal Court as part of a pro bono project run by the Boston Bar Association.

1994 – 1999 **City of Melrose Human Rights Commission**
Past Vice Chairman and Commissioner of municipal commission responsible for enforcing and promoting municipal and state anti-discrimination laws.

EDUCATION

Suffolk University Law School, Boston, MA
J.D. cum laude, 1985
Suffolk University Law Review, 1983-1985, Staff and Associate Editor
Best Appellate Brief, Moot Court Competition, 1982

Colby College, Waterville, ME
B.A. 1978 in American Studies

PEER RATING

Achieved Martindale – Hubbell peer rating of AV signifying legal abilities, professional ethics and conduct of the highest standard.

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: Jan. 31, 2022

Last name: Cullen First name: Brian Middle initial: M

Residence address: 166 Everett Road Ward: 2

City: Auburn State: ME Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 207/346-4650

Email address: kingkull73@gmail.com

Current occupation: retired

Previous occupation (if retired or no longer working): attorney for Travelers Insurance

Educational and/or experience (or attach your resume): see attached resume

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Age Friendly Committee
___ Agriculture Committee
___ Airport Board
___ Auburn Housing Authority
___ Audit Committee
___ Cable TV Advisory Board
___ CDBG Loan Committee
___ Citizen's Advisory Committee
___ Community Forest Board
___ Conservation Commission
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Parks & Recreation Advisory Board
X Planning Board
___ Regulatory Advisory Board
___ Sewer District
___ Water District
___ Other _____

Is this application for a X new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). To help promote beneficial growth and improve residential life for current and future City residents.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). To learn more about diverse residential, business, industrial and agricultural districts and to assist in balancing the diverse needs of each.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? N/A

Dates served (if known)? _____

Have you previously served on a City or Community Board or Committee? If so, which one(s)? Not in Auburn. Prior service on City of Melrose (MA) Human Right Commission

Dates served (if known)? mid 1990's

How did you learn of this vacancy? City of Auburn website

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Brian M. Cullen Date: Jan 31, 2022

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 2/3/2022
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Susan Clements-Dallaire

From: Robert Hayes <jlhayes1868@yahoo.com>
Sent: Thursday, February 3, 2022 3:40 PM
To: Susan Clements-Dallaire
Subject: Re: Planning Board

Again, thank you for informing me of another opening on the Planning Board. Yes, if you could resubmit my resent application, I would certainly appreciate you doing that for me. ... Thank you, Bob
On Thursday, February 3, 2022, 01:33:29 PM EST, Susan Clements-Dallaire <sdallaire@auburnmaine.gov> wrote:

Good afternoon,

We currently have one associate position to fill on the Planning Board. The deadline to submit applications for that position is Wednesday, February 9th. If you would like to be considered for this position, please either submit a new application Boards and Committees (auburnmaine.gov), or let me know via email that you are interested in being considered for that position. The Appointment Committee is scheduled to meet on Monday, February 14, 2022 to review applications.

Thank you,

Sue

From: Susan Clements-Dallaire
Sent: Wednesday, January 12, 2022 6:01 PM
To: JLHAYES1868@yahoo.com
Subject: Planning Board

Good evening,

Thank you for your interest in volunteering to serve on the Planning Board. The Appointment Committee met today to make their nominations to present to the City Council. I regret to inform you that you were not nominated for appointment at this time.

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, January 5, 2022 8:45 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Robert (Bob)

Middle Initial:

Last Name: Hayes

Residence Address: 172 Allen Ave.

Ward: Ward 2

City: Auburn

Home Phone: 2077821386

Cell Phone: 2072323903

E-mail Address: jlhayes1868@yahoo.com

Current Occupation: retired

Previous Occupation (if retired or no longer working): small business management: J L Hayes Co.

Education and/or experience: ELHS, Union College (N.Y.), USM, USN Supply School / USNavy, E.C. Jordan Co.,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): Having served as a Planning Board member and as a Counselor for over a period of 23 years, I would like to actively reengage in discussions and decisions that impact Auburn's future.

What do you hope to accomplish?: Through thoughtful and respectful discussion, I would hope to provide some reflective balance to past, current and futuristic thinking as it impacts planning, policy, programs and local legislation.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Planning Board, Council, Railroad Company, Airport Board, BAR

Dates served (if known): P.B. (77-90), Council (05-15,18-19)

How did you learn of this vacancy?: City Site

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Robert P Hayes

Date of Electronic Signature: 1/5/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Sunday, January 23, 2022 9:54 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Caroline

Middle Initial:

Last Name: Heisey

Residence Address: 250 MAIN ST

Ward: Ward 2

City: Auburb

Home Phone: 2074152149

Cell Phone: 2074152149

E-mail Address: Carolineheisey@outlook.com

Current Occupation: Legal assistant

Previous Occupation (if retired or no longer working):

Education and/or experience: B.A. in Philosophy of Law and Ethics

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I recently bought property here in Auburn. I want to raise a family in this city. The future of my children is in this city as is my own. I want to be a part of what makes Auburn exceptional. I have a deep investment in municipal politics and believe strongly in my ability to provide perspective and valuable insight.

I've come to know many residents so far. Neighbors, business owners, coworkers, etc. They face difficulties every day that may go unseen because they are incapable of finding someone to tell. I want to promote not only the established plan of improvement, but speak for those who can't do so themselves.

I have been looking for ways to volunteer in Auburn and I believe this position could be the best use of my knowledge and capabilities.

What do you hope to accomplish?: I hope to problem solve. There are many issues facing the city that have complicated, multivariate solutions.
The primary area I want to help plan is infrastructure improvement. However, improving infrastructure involves the alteration and consideration of more than bridges and sidewalks, hence my desire to volunteer on the Planning Board rather than a more specialized committee. I want to show how solutions may affect all areas of city development.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: City of Auburn website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Caroline Heisey

Date of Electronic Signature: 01/23/2022

Susan Clements-Dallaire

From: Paul Jacques <snowbirdut69@gmail.com>
Sent: Thursday, February 3, 2022 4:19 PM
To: Susan Clements-Dallaire
Subject: Re: Planning Board

Hi Sue, Yes, I am still interested in the planning board position. The associate position sounds like a good place to start.

On Thu, Feb 3, 2022 at 1:32 PM Susan Clements-Dallaire <sdallaire@auburnmaine.gov> wrote:

> Hello, Mr. Jacques,
>
> We currently have one associate position to fill on the Planning Board. The deadline to submit applications for that position is Wednesday, February 9th. If you would like to be considered for this position, please either submit a new application Boards and Committees (auburnmaine.gov), or let me know via email that you are interested in being considered for that position. The Appointment Committee is scheduled to meet on Monday, February 14, 2022 to review applications.
>
> Thank you,
>
> Sue
>
> **From:** Susan Clements-Dallaire
> **Sent:** Wednesday, January 12, 2022 6:04 PM
> **To:** snowbirdut69@gmail.com
> **Cc:** Eric Cousens <ECousens@auburnmaine.gov>; John Blais <jblais@auburnmaine.gov>
> **Subject:** Planning Board
>
> Good evening, Mr. Jacques,
>
> Thank you for your interest in volunteering to serve on the Planning Board. The Appointment Committee met today to make their nominations to present to the City Council. I regret to inform you that you were not nominated for appointment at this time.

I would like to encourage you to apply in the future should you be interested. Vacancies are posted on our webpage at www.auburnmaine.gov, Boards and Committees, Vacancies.

Again, thank you for your willingness to serve your community.

Best,

Sue

Susan Clements-Dallaire

Susan Clements-Dallaire, CCM, CMC

City Clerk & Registrar of Voters - City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1126

The City of Auburn is subject to statutes relating to public records. Email sent or received by City employees are subject to these laws. Senders and receivers of City email should presume that messages are subject to release.

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Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, January 6, 2022 10:27 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Paul

Middle Initial: D

Last Name: Jacques

Residence Address: 1685 Minot Ave

Ward: Ward 3

City: Auburn

Home Phone: 2077499556

Cell Phone: 2077499556

E-mail Address: snowbirdut69@gmail.com

Current Occupation: Teacher

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors in economics and experience in the field and a Master of Education

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Planning Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I?d like to be more involved in the economic development of and planning for sustainable growth in Auburn. I attended and contributed to the meetings of the complete streets committee in Lewiston and Auburn and on a similar committee in Windham.

What do you hope to accomplish?: Meet the the needs of Auburn?s citizens.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Auburn

Dates served (if known):

How did you learn of this vacancy?: Planning Board member

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Paul Jacques

Date of Electronic Signature: 01/06/22

Susan Clements-Dallaire

From: Kathy Shaw <kath@valleyviewfarm.me>
Sent: Friday, January 21, 2022 5:09 PM
To: Susan Clements-Dallaire
Subject: Re: Ag Committee or Reg Advisory Board

Ok then as I do not like to leave things unfinished I will stay on the ag committee , please do put my name back on the list for the regulatory board for the next round of nominations.
Thankyou for checking.....
Kath

On Fri, Jan 21, 2022 at 4:54 PM Susan Clements-Dallaire <sdallaire@auburnmaine.gov> wrote:

> Hi Kathy,
>
> I wanted to follow up with you on your question from yesterday and whether or not you can attend the Ag meeting on Tuesday and then decide which of the two boards/committees you will serve on.
>
> Because the ordinance amendment goes into effect on January 23rd and we (staff) do not have the authority to override an ordinance, you would not be able to attend as a member of the Ag committee unless you opt to continue to serve on that committee vs. the Regulatory Advisory Board.
>
> Let me know what you decide.
>
> Thank you, Kathy!
>
> Sue

--
Kathy Shaw
Valley View Farm
1200 Sopers Mill Rd.
Auburn, Maine 04210

Email: kath@valleyviewfarm.me
Phone: 207-320-1969

For our continuously changing Product List, go to: https://www.valleyviewfarm.me/products

We are in the process of preparing our new farm store at Valley View Farm! More updates to come. In the meantime, see our animal photo gallery at:

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, January 3, 2022 8:09 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Kathleen

Middle Initial: A

Last Name: Shaw

Residence Address: 1200 Sopers Mill road

Ward: Ward 5

City: Auburn

Home Phone: 207-320-1969

Cell Phone: 207-320-1969

E-mail Address: Kath@valleyviewfarm.me

Current Occupation: Self employed, farmer

Previous Occupation (if retired or no longer working):

Education and/or experience: USM leadership institute graduate, supervisor for Soil and Water conservation district, president of farmers market association,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Regulatory Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am interested in learning and participating in the regulatory commission, , I believe that citizen involvement makes a more effective,livable and dynamic city that offers opportunity for growth.

What do you hope to accomplish?: I would like to see a well rounded committee that functions as an advocate for our community and businesses

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Chair or Agricultural Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Mayor?s AG-ARP committee

Dates served (if known): 2020

How did you learn of this vacancy?: Mayor?s letter to the conservation Chair and Ag committee chair

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Kathleen shaw

Date of Electronic Signature: January 3 2022

Susan Clements-Dallaire

From: melness@roadrunner.com
Sent: Wednesday, February 2, 2022 9:57 AM
To: Susan Clements-Dallaire
Subject: sewer district appointments

Dear Susan, I would like to be considered for another term on the Sewer Board.

Stephen Ness

auburnmaine.gov

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 1-22-18

Last name: Ness First name: Stephen Middle initial: G.

Residence address: 90 Brentwood Dr. Ward: 4

City: Auburn State: Maine Zip code: 0420

Home phone: 207-784-4358 Work phone: 207-783-6764 Cell phone: 207-240-1413

Email address: melness@roadrunner.com

Current occupation: President & Treasurer Ness Oil Co

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): _____

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Planning Board
___ St. Louis Bells Committee
___ Zoning Board of Appeals
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
X Sewer District
___ Water District

Is this application for a ___ new appointment or X reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). _____

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). _____

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? _____
Sewer District

Dates served (if known)? Since 1990

Have you previously served on a City or Community Board or Committee? If so, which one(s)?
Auburn Planning Board 1980's

Dates served (if known)? _____

How did you learn of this vacancy? my appointment is up

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.
Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!
I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.
Signature: Stephen G Ness Date: 1-22-18

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 1-23-2018
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Stephen G. Ness

High School : Edward Little H.S.

College : Bentley College
U of M Portland

Employment: President and Treasurer of Ness Oil Co.

Community Involvement

Board member and director Maine Energy Marketers Assoc.
Corporator Mechanics Savings Bank
Corporator Auburn Public Library
Past member Auburn Planning Board (1980 s)
Current Trustee Auburn Sewer District (since 1990)
Past board member and president of Great Falls Balloon Festival
Current volunteer Great Falls Balloon Festival
Member of other organizations

I would be pleased to continue my service as Ward 4 representative to the Auburn Sewer District for another term. Since becoming a trustee the district has seen sewer extensions to many existing and new developments. The most recent major project has been the CSO separation project with the City of Auburn. The remaining issue at hand is the inflow and infiltration processes. Great progress has been made in the control of the amount of storm and ground water entering the system, however the current system needs to be tightened up as well as the elimination of roof drains and sump pumps from the system. I would like to work with the district to continue to replace and reline the current system.

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, February 3, 2022 1:27 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Daniel

Middle Initial: L

Last Name: BILODEAU

Residence Address: 207 North Auburn Road

Ward: Ward 1

City: AUBURN

Home Phone: 2076502398

Cell Phone: 2076502398

E-mail Address: dan.bilodeau@yahoo.com

Current Occupation: Airline Pilot and Watershed/trail volunteer

Previous Occupation (if retired or no longer working):

Education and/or experience: Edward Little class of 1985; Embry-Riddle BS Aeronautical Science; President LA Watershed Neighborhood Association

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Water District

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have been either on the Planning Board, Forestry Board, Water District and now the Protection Commission since 2007. I would like to continue to serve out one final 3 year term to insure the City of Auburn and its City Council has a voice for it's concerns regarding Lake Auburn and its watershed. It is also my past and present goal to achieve fair cost apportionment, not any different than sewer, for the rate payers of Auburn. Lastly, updating the Lake Auburn By-laws by taking a modern approach to development and recreational opportunities all while insuring the Lake remains viable to deliver safe, reliable and great tasting water to its community.

What do you hope to accomplish?: Continue representing Auburn rate payers and accomplish the task of revising the AWD By-Law for the Protection of Lake Auburn referencing the City's recent Lake Auburn Study. Continue the pursuit of determining ALL watershed costs, accounting for what the City of Lewiston takes for granted like Auburn's overlay ordinances. I also hope to accomplish removing any perceived conflicts of interests with the long standing land acquisition policy the Superintendent has historically administered.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn Water District

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Planning Board; Comp Plan Committee x2, Forestry Board and Flag Committee; Airport Manger hiring Com

Dates served (if known): 2007 to present day

How did you learn of this vacancy?: I knew my term was up in 2022

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Daniel Leo Bilodeau

Date of Electronic Signature: February 3, 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Friday, January 14, 2022 12:10 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: KC

Middle Initial:

Last Name: Geiger

Residence Address: 1464 Pownal Rd

Ward: Ward 5

City: Auburn

Home Phone: 207-784-0204

Cell Phone: 207-240-5649

E-mail Address: kcgeiger@roadrunner.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): VP Materials Mgmt - Geiger Bros

Education and/or experience: BS Mechanical Engineering - Notre Dame

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Water District

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have had a long interest in volunteering my time and giving back to the community. One way has been serving as an Auburn Water District Trustee for over 20 years, many years as Treasurer or President. I rarely miss any meetings and study all issues that come before us. I attend most Sewer District and Lake Water Protection meetings so I can better understand issues that come before those boards as well. My degree in Mechanical Engineering, my years as a Purchasing VP and business owner give me a well rounded experience to complement the other District Trustees.
The Trustees are volunteers responsible for a very important business that provide clean safe drinking water 24 hours a day - 365 days a year. Plus we must take any steps necessary to keep our water source pure for generations to come. I have learned about a lot of complex issues over the years and believe that my institutional knowledge is a valuable asset to the District and would like to continue to serving as Trusee

What do you hope to accomplish?: Before the Trustees are issues of algae growth that is risking Lake Auburn's purity and an aging infrastructure of water pipes that we are not replacing as fast as we should. We need to do more in the future and still balance our investments with water rates that are fair to our customers.
I believe that we can continue to provide safe and economical water to the City of Auburn with a vision to protect our lake and replace pipes that are 75-100 years old.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Auburn Water District

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Expiration of my term.

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: KC Geiger

Date of Electronic Signature: 1/14/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, January 24, 2022 1:57 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Eric

Middle Initial:

Last Name: Gould

Residence Address: 65 Quail Run

Ward: Ward 1

City: Auburn

Home Phone: 2072409783

Cell Phone: 2072409783

E-mail Address: Gouldgoose@aol.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): Chief Engineer US Merchant Marine

Education and/or experience: BS Mechanic Engineer

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Water District

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I believe my broad base practical engineering knowledge coupled with the fact that I live in the watershed make me good candidate. Also recently running for City Council got me talking to much of the community about various issues which are current.

What do you hope to accomplish?: I would like to see the same set of building standards apply for all of the watershed, regardless of the town for the benefit of it.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Ran for city council 2021

Dates served (if known):

How did you learn of this vacancy?: City website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Eric Gould

Date of Electronic Signature: January 24, 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Sunday, January 9, 2022 5:26 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Rex

Middle Initial: H

Last Name: Rhoades

Residence Address: 880 Lake Shore Drive

Ward: Ward 1

City: Auburn

Home Phone: 207-754-9163

Cell Phone: Same

E-mail Address: Rrhoades360@gmail.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): Management

Education and/or experience: BA University of Pittsburgh (1976) and more than 40 years of business experience

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Water District

OTHER (Ad-Hoc Committees not on the list above):: None

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I took a tour of the plant years ago and have always been interested in how the system works. One of my heroes in a different time and place was a man named Sonny Burke, who served on many low-profile government boards, stayed out of politics and always had the community?s good at heart.

What do you hope to accomplish?: Just to do the right thing and help keep the great ball of progress moving forward.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known): N/A

How did you learn of this vacancy?: I?m not sure there is one, but if there is I?m interested

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Rex Hardy Rhoades

Date of Electronic Signature: 9 Jan. 2022

ORDER 25-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 26-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Paul Jacques to the Planning Board as an associate member with a term expiration of 1-1-2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 27-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Stephen Ness to the Auburn Sewer District with a term expiration of 3-1-2026.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 28-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 29-02222022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

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

Pledge of Allegiance

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

1. Order 19-02072022*
Appointing a representative (City Manager, Phil Crowell) and alternate (Assistant City Manager, Brian Wood) to vote at the Maine service Centers Coalition business meetings.

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

Passage 7-0.

II. Minutes – January 18, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

IV. Open Session:

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

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

V. **Unfinished Business** – None

The Mayor called for a 5 minute recess.

VI. **New Business**

1. **Resolve 01-02072022**
Approving the Auburn Water District $2 million dollar bond to be used for pipe replacement.

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

Public comment - No one from the public spoke.

Passage 7-0.

2. **Order 20-02072022**
Authorizing the City Manager to negotiate for the purchase of property located at 424 Mt. Auburn Avenue.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. **Order 21-02072022**
Approving the ARPA funding allocation for Employee Retention.

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

Public comment – No one from the public spoke.

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

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

Passage 7-0.

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

4. **Order 22-02072022**
Approving the ARPA funding allocation for Information Technology (IT).

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

Public comment – No one from the public spoke.

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

5. **Order 23-02072022**
Approving the ARPA funding allocation for water and sewer studies and implementation stemming from studies.

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

Public comment – No one from the public spoke.

Passage 7-0.

6. **Ordinance 03-02072022**
Amending Auburn's Code of Ordinances, Chapter 14, Article XIV, Taxi Cabs. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

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

7. **Ordinance 04-02072022**
Amending Auburn's Code of Ordinances, Appendix A Fees and Charges. Public hearing and first reading.

Public hearing – No one from the public spoke.

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

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

8. **Ordinance 05-02072022**
Adopting a Disorderly House ordinance. Public hearing and first reading.

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

Public hearing - No one from the public spoke.

Passage 7-0.

9. **Ordinance 06-02072022**
Board and Committee restructure Ordinance. Public hearing and first reading.

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

Public hearing:

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

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

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

Passage of amendment 7-0.

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

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

Passage 7-0.

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

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

Finance Director Eastman, December 2021 Monthly Finance Report.

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

Passage 7-0.

IX. Executive Session - Economic Development, pursuant to 1 MRSA Sec. 405(6)(C) was not needed.

X. Adjournment – Motion was made by Councilor Staples and seconded by Councilor Morin to adjourn. Unanimously approved, the meeting adjourned at 9:36 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

AGE-FRIENDLY
ANNUAL REPORT
January 1 through December 31, 2021

Good evening, Mayor Levesque, City Manager Crowell, City Councilors and City Staff

As the pandemic persisted, our events were challenging, and continued to be changed and limited, but as you will see, it did not stop us! Our thirteen-member committee has been meeting every month, all year long, with some attending from the general public.

The Age-Friendly Community Committee hosted a combination Christmas Party and New Year's Day Celebration on January 1, 2021, complete with a luncheon of finger rolls, chips, pickles, olives, dessert and beverage, served free of charge. We were able to find the previous night's ball drop from Times Square in New York, and replayed it at 11:59 a.m. with the ball dropping at 12:00 Noon. Attendees celebrated with hats and noise makers. They played games and had a great time.

February 14th, we hosted a Valentine's Day luncheon of spaghetti and meatballs, salad, bread and butter, dessert and beverages. We took in $370.00 in donations. Our sponsor for the event was John Morrison from Cure Cannabis Co., who gave $1000.00 toward this and future events.

Beginning March 17th, Age-Friendly started showing movies on the first and third Wednesdays of each month, in lieu of the First Auburn Senior Citizens meetings. No food was allowed at this time. Masks were mandatory and we had a 30 person maximum, with pre-registration being required. Attendees were permitted to bring a beverage.

March 30, 2021, Age-Friendly held a "Walk in the Park", a guided tour of the parks in Auburn, lead by Alan Manoian. The walk began at Festival Plaza and continued down Main Street to the new Anniversary Park. A total of 42 people attended, and masks were mandatory.

On April 23, 2021, Age-Friendly hosted a luncheon from 12:00 to 2:00 p.m., of beef stew, bread and butter, cookies and bottled water. A total of 250 people were served, between the eat-in and take-out meals. Donations of $330.00 were received.

At our April meeting, we discussed purchasing benches and trash receptacles to be placed at the art wall on Main Street and at the Esplanade, so that walkers would have a place to sit and rest. In June, we applied for a grant through the City of Auburn and recently received word that the grant was approved. The items will be ordered, and we will coordinate with Public Works to install the benches and trash receptacles once they are received.

Movies continued to be held each month. We would like to see more participation, however, the movies are very well received, and we are now allowed to serve refreshments, including cookies and popcorn.

In June, the mass gathering rules were lifted and mask wearing became optional. Seniors groups were able to start meeting again, which made it easier for us to get our event information out to the public. People were ready and even anxious to get out and do something.

In July, the group met with Theresa Lamare, In-Service Coordinator from Aging Excellence, who spoke to us about in-home assistance and other help that Aging Excellence offers, in order for people of all ages to stay in their homes. We hope to partner with Aging Excellence to help to reach our goal of enabling

our elderly population to live independently. The agency also offered to sponsor a dessert for one of our senior meals. A representative from Seniors Plus in Lewiston is also on our board.

In August, our movies continued to be held, but attendance was low. Unfortunately, because of licensing restrictions, we are unable to advertise the name of the movies we will be showing and that could be the reason for low attendance.

There was no Balloon Festival in August, so we lost an opportunity to raise money for the Age-Friendly Community Committee coffers, as we did with the beverage booth in 2020, raising approximately $3000.00.

Larry Pelletier, one of our committee members, discovered graffiti at Bonney Park, while he was taking a walk, and it was reported to Public Works. The graffiti has since been removed. By having our members report anything that is amiss, we can get it addressed and rectified in a timely manner. Earlier in the season it was identified that the sidewalk on Court Street was dangerously in disrepair. Public Works was notified by Age-Friendly, and the sidewalk was subsequently repaired. We'd like to take this opportunity to thank Public Works for their responses to our requests.

In September, movies continued to be shown, and plans were made for our future events.

On October 23rd, Age-Friendly hosted an "Eat-In" and "To Go" beans and hot dogs luncheon from 12:00 to 1:30 p.m. No fee was charged, but donations were gratefully accepted. A total of $207.00 was donated to go toward future events, and Mr. William Pepin generously sponsored this event.

On November 25, 2021, Thanksgiving Dinner was sponsored by John Morrison from Cure Cannabis Co, and David McCutcheon from Re-Energy Holdings, LLC. Approximately 200 dinners were served to people who otherwise would not have had a Thanksgiving meal available to them. Donations of $386.12 were received to help with future events.

On December 22, 2021, we held a luncheon to celebrate the holidays with finger rolls, chips, pickles, olives, dessert and bottled water. Donations of $59.00 were received at this event. Unfortunately, the weather was stormy and only about 40 people braved the weather and came out to the event. Everyone played card games and Corn Hole, and had a great time. Carol LePage, a member of First Auburn Senior Citizens, generously donated a diamond art picture to be raffled off. The winner was drawn at this event.

Plans were made for our New Year's Day celebration, but I won't tell you how that turned out until next year's report!

Respectfully submitted,
AGE-FRIENDLY COMMUNITY COMMITTEE

Jan Biron
Secretary

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Ordinance:** 05-02072022

Author: Phil Crowell, City Manager

Subject: Disorderly Housing

Information: It is the responsibility of the city to protect the health, safety, and welfare of the residents of the Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Often, these incidents are occurring in housing units or rentals which are unoccupied by the owners. Inquiries have been done with other municipalities to determine how enforcement is being handled.

Many communities over the past few years have adopted a Disorderly Housing Ordinance. Communities have found that chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

Most ordinances define a "disorderly house" as any building which the Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, cohabitees, residents, guests or invitees and that would have a tendency to unreasonably disturb the community, the neighborhood or an ordinary individual in the vicinity of said building. This ordinance would not have an impact for someone calling for service as it relates to protection like a domestic assault, sexual assault, or protection from abuse orders.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider adopting the proposed ordinance.

Previous Meetings and History: Presented and discussed at the 1/18/2022 Council Workshop. Public hearing and passage of first reading on 2/7/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Ordinance

ORDINANCE 05-02072022

City Council Ordinance

IN CITY COUNCIL

ADOPTING A DISORDERLY HOUSING ORDINANCE

Be it ordained, that the City Council hereby adopt the Disorderly Housing Ordinance (attached).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance 05-02072022

CITY OF AUBURN
DISORDERLY HOUSE ORDINANCE

SECTION 1. TITLE.

This Ordinance shall be known as the "City of Auburn Disorderly House Ordinance."

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City of Auburn by eliminating the proliferation of properties with occupants who disturb the peace and tranquility of their neighborhoods. Nothing contained in this Ordinance is intended to dissuade, discourage or prohibit any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities, including, but not limited to, the Auburn Police Department.

SECTION 3. LEGISLATIVE FINDINGS.

The City Council hereby finds that:

(a) The City has a substantial and compelling interest in protecting the health, safety, property, and welfare of its citizens and the neighborhoods affected by chronic unlawful or nuisance activity as well as in not dissuading, discouraging or prohibiting any person whose safety is in jeopardy, or who is a victim of domestic violence, from contacting the appropriate authorities.

(b) Chronic unlawful or nuisance activity of various kinds on and near disorderly houses adversely affects the health, safety and welfare of citizens and diminishes the quality of life in neighborhoods where this chronic activity occurs. Chronic unlawful or nuisance activity constitutes a public nuisance and should be subject to abatement.

(c) The existing ordinances and enforcement processes of the City do not adequately control chronic unlawful or nuisance activity or its detrimental effects on citizens and neighborhoods where such chronic activity occurs.

(d) Establishing the regulatory framework contained herein will alleviate the problems created by chronic unlawful or nuisance activity through early intervention by the Police Department.

SECTION 4. DISORDERLY HOUSES PROHIBITED.

(a) No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, or rooming house (hereinafter jointly and severally "building") which is a disorderly house as defined herein.

(b) A "disorderly house" is any building which:

(1) The Police Department has visited a minimum number of times in any thirty (30) day period response to situations that are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and that would have a tendency to unreasonably

disturb the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding any request for police protection or any police intervention in the face of a threat or a perceived threat to person or property, or any request for the assistance of the police to enforce a court order, including, but not limited to, circumstances in which the request for assistance or other police intervention arises from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or near the building); owners, tenants, or invitees of owners or tenants being intoxicated on public ways in the vicinity of the building; other similar activities in the building or outside the building itself; or

(2) The police have visited three (3) or more times in any thirty (30) day period in response to situations which are created by the owner, tenants, or owner's or tenants' cohabitees, guests or invitees and involve the arrest or summons of owners or tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law (excluding arrests or summonses arising from an incident relating to domestic violence, dating violence, sexual assault or stalking against any person at or nearthe building), or create a reasonable suspicion that illegal drug use or sales under 17-A M.R.S.A. Chapter 45 or prostitution or public indecency under 17-A M.R.S.A. Chapter 35 has occurred at the property.

Unit per Building	Number of Visits by Police in any 30-day Period
5 or less	3 Visits
6 – 10	4 Visits
11 or more	5 Visits

(c) The situation to which the visit pertains shall be documented by the Police Department. Such documentation may include sworn affidavits by named citizens that may be sufficient to create a reasonable suspicion said illegal activity has occurred.

SECTION 5. NOTICE OF DISORDERLY HOUSE.

(a) Whenever the Police Department has identified a building as a disorderly house, it shall cause written notification of the events that form the basis for that designation to be given to the owner. The notice shall require the owner to meet with representatives of the City (including the Police Department) within five (5) business days from the date of the written notification, or such other time as is agreed upon by the Police Chief or his/her designee, to identify ways in which the problems that have been identified will be eliminated.

(b) At the time of said meeting, the owner shall be obligated to provide to the City the following documentation:

(1) A list of the names of all tenants or other persons authorized to reside or presently residing in the building and the units they occupy;

(2) Copies of all leases or occupancy agreement(s) with tenants or other persons residing in the building (confidential personal or financial information may be omitted);

(3) Contracts with any property manager or other person responsible for the orderly operation of the building; and

(4) Proof of building ownership.

In addition, the owner shall agree to take effective measures to address the disorderly house, which measures shall be memorialized in a written agreement at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the Police Department. The Police Chief or his or her designee has authority to execute such agreements on behalf of the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this Ordinance, and the City may file a complaint in court seeking all remedies permitted by law as set forth in Section 7 of this Ordinance.

(c) If the same building should be classified as a disorderly house by the Police Department on a subsequent occasion within three (3) years, then the City is under no obligation to meet with the owner but may, after notice and hearing before the City Council, condemn and post the building or any units therein against occupancy as set forth in Section 7(a), and/or proceed directly with a complaint in court seeking all remedies permitted by law as set forth in Section 7(a).

(d) The notices provided for in this section may be given to any person, including any legal entity having the right of legal title or the beneficial interest in the disorderly house or any portion thereof, as that interest is recorded in the assessing records of the City or the Registry of Deeds of Androscoggin County, which shall be sufficient for all legal purposes. Notice shall be provided to the owner and any non-owner occupants of the building (if known).

SECTION 6. ENFORCEMENT.

(a) It shall be the duty of the Police Department to administer and enforce the provisions of this Ordinance. If the owner (a) refuses to meet with representatives of the City as set forth in Section 5 above, (b) refuses to agree to take effective measures to address the disorderly house, (c) takes ineffective measures to address the disorderly house as determined by the City, (d) fails to implement the agreement reached with the City to address the disorderly house, or (e) if, in the discretion of the City, the disorderly house requires immediate posting in order to protect the public health, safety or welfare, the City may condemn and post the building or any units therein against occupancy, and/or may file a legal action against the owner and/or violator seeking any and all remedies to which it is entitled pursuant to State and local laws, including, without limitation, declaratory and injunctive relief.

(b) In the event that condemnation and posting the building or any units therein against occupancy is necessary to address the disorderly house, the City shall provide all non-owner occupants of the building with written notice of said condemnation at least thirty (30) days in advance of the act of condemnation or the posting against occupancy, if the list of tenants is known to the City.

(c) In the event of legal action against an owner and/or violator for a disorderly house violation, the City shall name the non-owner occupants of the building (if known) as parties-in-interest to said legal action.

SECTION 7. VIOLATIONS.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Police Department issued hereunder shall be subject to a penalty as provided herein.

SECTION 8. CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than one thousand dollars ($1,000.00) and not more than two thousand dollars ($2,000.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the City is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the City in the enforcement of this Ordinance, including, but not limited to, staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the City of Auburn.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Ordinance:** 06-02072022

Author: Jason Levesque, Mayor

Subject: Alignment of board and commission scope and responsibility

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Information: As a follow-up to the December 18th meeting announcement of my intent to complete the work of modernization of our committees and boards that we started last year, I reconvened the committee for one meeting on January 10th to specifically redesign the ad hoc committee on sustainability, conservation and its sub committees, and agriculture.

After input from the ad-hoc committee and Conservation Commission, Agriculture Board, and Forestry Board the proposed ordinance is being submitted for council adoption.

City Budgetary Impacts: NA

Staff Recommended Action: Consider the proposed ordinance amendment.

Previous Meetings and History: As noted above under information, and a public hearing and passage of first reading on 2/7/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Ordinance Language

DIVISION 5. ~~CONSERVATION COMMISSION~~

Sec. 2-477. Commission established.

~~A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of seven members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be one ex-officio member of the board consisting of the city manager or his/her designee.~~

~~(Ord. No. 07-02022015, § 1, 2-17-2015)~~

Sec. 2-478. Purpose.

~~The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.~~

~~(Ord. No. 07-02022015, § 2, 2-17-2015)~~

Sec. 2-479. Qualifications.

~~All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.~~

~~(Ord. No. 07-02022015, § 3, 2-17-2015)~~

Sec. 2-480. Powers and duties.

~~The commission:~~

~~(1) Shall keep records of its meetings and activities and make an annual report to the city council;~~

~~(2) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;~~

~~(3) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;~~

~~(4) Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any board of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;~~

(5) May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;

(6) Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;

(7) Shall coordinate applications for grants from the federal or state governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.

(8) Shall undertake any other conservation or environmental activity referred to it by the city council.

(9) May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.

(10) Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;

(11) Shall raise community awareness regarding the importance of the community forest;

(12) May raise funds to establish a community forest trust fund;

(13) Shall adopt by-laws to govern the internal affairs of the commission; and

(14) May perform such other functions as are permitted by this Code.

(Ord. No. 07-02022015, § 4, 2-17-2015)

Sec. 2-481. Officers, meetings and records.

(a) The members shall elect from their membership a chairperson, treasurer, a vice-chairperson and a secretary. Officers shall serve two-year terms.

(b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.

(c) Minutes shall be kept of all meetings.

(Ord. No. 07-02022015, § 5, 2-17-2015)

Sec. 2-482. Committees.

(a) *Establishment:* The chairperson may appoint special committees for purposes and terms approved by the conservation commission.

(b) *Lewiston-Auburn Community Forest Board:* The Lewiston-Auburn Community Forest Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the community forest board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The conservation commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a community forest program that enhances, preserves, protects, and maintains the community forest. Primary activities are to:

(1) Advocate for the community forest;

(2) Develop a plan for and provide advice on the management of the public sector portion of the community forest;

(3) Educate the communities about the community forest and how to care for it;

(4) Raise funds, including grants, and establish a community forest trust;

(5) Develop and advise on policy changes for approval by the city councils;

(6) Advise and consult on community forest issues and projects;

(7) Communicate and coordinate with city staff, planning boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.

(Ord. No. 07-02022015, § 6, 2-17-2015)

Sec. 2-482.1. Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.

(Ord. No. 07-02022015, § 7, 2-17-2015)

DIVISION 8. AGRICULTURE COMMITTEE[1]

Sec. 2-482.11. Purpose.

The purpose of the agriculture committee shall be to proactively build a stronger food, agricultural, and resource economy in the city and to address the ongoing needs of protecting and promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.12. Established.

An agriculture committee is hereby established to consist of nine members, of whom seven members shall be appointed by the city council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the city council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint one members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

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[1]Editor's note(s)—Ord. No. 14-12022019, adopted December 9, 2019, set out provisions intended for use as Div. 8, §§ 2-485.1—2-485.7. To preserve the style of this Code, and at the editor's discretion, these provisions have been included here as Div. 8, §§ 2-482.11—2-482.17.

~~Sec. 2-482.13. Qualifications.~~

~~All members of the committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the city.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.14. Powers and duties.~~

~~The committee shall:~~

~~(1) Make recommendations to the planning board and city council and consult with the conservation commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in the city.~~

~~(2) Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of the city's agricultural and forestry products;~~

~~(3) Seek to coordinate the activities of local, state and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;~~

~~(4) Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.~~

~~(5) Periodically review the city comprehensive plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify the city's policies and ordinances to better support agriculture and forestry.~~

~~(6) Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.~~

~~(7) Review applications for a voluntary municipal farm support program and perform related duties as requested by the city council.~~

~~(8) Keep records of its meetings and activities and make an annual report to the city council;~~

~~(9) Undertake any other agricultural or forestry related activity referred to it by the city council;~~

~~(10) Adopt by-laws to govern the internal affairs of the committee including meeting frequency;~~

~~(11) May perform such other functions as are permitted by this Code.~~

~~(12) Should any project in the city require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the planning board within 60 days.~~

~~(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)~~

~~Sec. 2-482.15. Officers, meetings and records.~~

~~(a) The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.~~

(b) All meetings of the committee shall be open to the public, and notice, shall be provided to the public about such meetings.

(c) The committee may request that testimony provided during public hearings in front of the committee be provided under oath.

(d) Minutes shall be kept of all meetings.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.16. Committees.

The committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

Sec. 2-482.17. Quorum and necessary vote.

As to any matter requiring a public hearing, no business shall be transacted by the committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.

(Ord. No. 14-12022019, 12-9-2019; Ord. No. 20-12022019, 12-9-2019)

ORDINANCE 06-02072022

City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council hereby amends the Auburn Code of Ordinances, Chapter 2 – Administration, Article V. Boards, Commissions and Committees by striking Division 5, Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 5. SUSTAINABILITY AND NATURAL RESOURCE MANAGEMENT BOARD (SNRB)

Sec. 2-477. Board established.

A Board is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of six members, including representatives of the city council, planning board, and four standing working groups on agriculture, conservation, the community forest, and sustainability. The planning board chair and the mayor may either serve on this board or appoint a representative to serve as members of the SNRB for a term of two years. The standing working groups on agriculture, conservation, the community forest, and sustainability shall nominate one representative each for approval by the Council; these members shall serve staggered three-year terms. There shall be one ex officio member of the board, consisting of the city manager or his/her designee.

Sec. 2-478. Purpose.

The purpose of the SNRB shall be to advance Auburn's commitment to sustainability by serving as a research, advisory and advocacy group on environmental issues and natural resource management within the City. The SNRB is created with the purpose of improving the relationship and communication between the City Council, existing committees, and staff with the aim of creating more effective organization of city sustainability efforts.

Sec. 2-479. Qualifications.

All members of the SNRB shall be selected on the basis of their knowledge of or interest in conservation, environmental science, agriculture, forestry, energy or related fields.

Sec. 2-480. Powers and duties.

(1) SNRB will provide an interface between City leadership (City Council/ Mayor/City Manager), and four standing working groups (Conservation, Community Forest, Agriculture, Sustainability). SNRB will assure communication and coordination among the standing working groups, Council, and city staff.

(2) SNRB will meet quarterly or as needed to set priorities for the standing working groups, review working group accomplishments, coordinate efforts, provide operating funds approved by the City Council for working group events, publications, etc. and develop brief quarterly updates for the Council. SNRB shall maintain a working relationship with the Planning Board.

(3) The City shall identify staff to be resources for SNRB . It is not expected that staff attend all meetings, but rather attend or provide advice as needed.

(4) SNRB may, upon approval by the City Manager or City Council advertise, and in coordination with the working groups, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;

(5) SNRB shall coordinate with City Manager any applications for grants from the federal or state governments, or private sources, to carry out the City's commitments to sustainability and responsible natural resource management;

(6) SNRB may recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes;

(7) SNRB may perform such other functions as are permitted by this Code.

Sec. 2-481. Officers, meetings and records.

(1) SNRB shall appoint a chair and secretary.

(2) SNRB shall appoint members of the 4 standing working groups. Working group membership will be between 5 and 11 depending on need and volunteer interest.

(3) Standing working groups shall provide a quarterly report to the SNRB.

(4) All meetings of the SNRB and standing working groups shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.

(5) Minutes shall be kept of all meetings. Minutes and agendas will be made public through the City's website.

Sec. 2-482. Standing Working Groups

Establishment: The SNRB will oversee four standing working groups, each of which will have a distinct focus on agriculture, conservation, the community forest, or sustainability. Goals of the working groups are outlined below.

Conservation Working Group

The Conservation Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The purpose of the Conservation Working Group shall be to promote responsible stewardship of the natural environment in Auburn through research, advocacy, and education.

The Conservation Working Group:

a) Shall seek to coordinate the activities of conservation and recreation bodies organized for similar purposes;

b) In coordination with the City GIS staff shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The working group may recommend to the city council or to any Board of the city a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements.

c) Shall promote public awareness and appreciation for Auburn's natural environment through a broad education program. This may include organizing events, distributing educational materials, and coordinating with local conservation organizations, both private and public.

d) Shall support and advise City staff on the sustainable management of Auburn's natural resources, and promote cooperation and information-sharing with regional, state, and federal agencies.

e) Shall provide advisory opinions and recommendations to the City Council, Planning Board, and other municipal elected or appointed officials on matters pertaining to natural resource management in Auburn.

f) Shall assist with and coordinate applications for grants from the Federal or State governments, or private sources, to improve conservation assets for the city including parks, trails, and the community forest.

g) Shall undertake any other conservation or environmental activity referred to it by the city council.

Community Forest Working Group

The Lewiston-Auburn Community Forest Board will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The Community Forest Working Group shall develop and implement a program that promotes the socio-economic, environmental, and esthetic values of the Community Forest.

The Community Forest Working Group:

a) Shall advocate for Auburn's Community Forest, defined as the sum of street trees, trees associated with public facilities including parks and schools, and public woodlots under the jurisdiction of the City or the School Department.

b) Shall maintain Auburn's Tree City USA certification which includes Maine Arbor Week Activities.

c) Shall raise funds and develop grant applications to support the Community Forest.

d) Shall collaborate and coordinate with public and private organizations including the working groups of the Sustainability & Natural Resources Board, Planning Board and City Council to provide advice, information and policy recommendations.

e) Shall advise staff concerning the Street Tree Inventory and Public Woodlots Forest Management Plan.

f) Shall meet jointly with representatives from Lewiston to maintain the Lewiston-Auburn Community Forest Board (LACFB) established and continually operating since 2001. LACFB jointly established and manages the tree nursery on North Auburn Road under an easement for the benefit of both cities.

g) Shall provide education opportunities to the public to enhance understanding and appreciation of issues related to the Community Forest, including tree planting, tree care, invasive plant and insect issues, and the socio-economic benefits of the Community Forest.

Natural Products and Agriculture Working Group

The Natural Products Working Group will be a standing working group of the Sustainability and Natural Resource Management Board. The purpose of Auburn's Natural Products Working Group shall be to proactively build a stronger natural resource economy in Auburn and to address the ongoing needs of protecting and promoting farms, farmland, woodlots, and natural resources based industries.

The Natural Products Working Group shall:

a) Work to protect soils of statewide importance

b) Promote local resource based economies

c) Undertake education and community outreach to promote local commodities

d) Provide assistance and contacts for local agricultural and resource based commercial initiatives at the state and federal levels

e) Raise funds and develop grant applications to support the goals of promoting natural products in Auburn.

f) Review and provide recommendations concerning solar installations in AGRP zoned areas

~~f)~~g) Promote local food supplies and address local hunger issues.

Sustainability Working Group

The Sustainability Working Group will be a standing working group of the Auburn Sustainability and Natural Resource Management Commission. The mission of the Sustainability Working Group is to assist citizens of Auburn in making Auburn a Sustainable Community in the domains of environment, government operations, and culture.

The Sustainability Working Group:

a) Through application of existing research and data acquired at the local level shall assist the city in developing policies and actions in sustainability that are aligned with the state's climate focus areas: modernization of buildings, transportation, emission reductions, environmental protection, healthy and resilient communities, investment in climate-ready infrastructure, and engagement of our citizens

b) Shall assist City staff in identifying and securing grant funding to supplement city budget outlays for sustainability work.

c) Shall work with the city staff and community partners to develop outcome metrics to measure the effectiveness of sustainability policies and actions. For example: do participation rates for curbside recycling or food composting increase with new recycling/compost bins and a targeted community education program?

d) Shall collaborate with other community groups, the city and quasi-governmental groups to share resources and avoid duplication of efforts in pursuit of shared sustainability goals.

e) Shall assist the city in budget planning to fund a Sustainability Manager position overseeing development of an Auburn Climate Action Plan, as well as current/future sustainability initiatives. Assist the city and the Sustainability Manager with the development of the Auburn Climate Action Plan.

Sec. 2-482.1. Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by commissions under state statute which are not explicitly provided in this article may be exercised by the Board created herein.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Order:** 30-02222022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Tambrands II Municipal Development and Tax Increment Financing District Amendment

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Information: The Current Tambrands TIF allows for 40% Credit enhancement. Tambrands has incurred substantial unforeseen costs in their facility's six million dollar expansion, and the current TIF ends in nine years. We seek to amend the TIF to allow for a 75% Credit enhancement to recoup a portion of the unforeseen costs over the remaining nine years.

City Budgetary Impacts: estimated reduction in TIF Revenue of $150,000 Year one and estimated $35,000 reduction in years 2 thru 9

Staff Recommended Action: Approve the Amendment as presented

Previous Meetings and History: In the spring of 2021 Council authorized the sale of Airport property to Tambrands and was briefed on the need to amend the TIF.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: TIF Amendment as prepared by Bernstein Shur & City Staff

City Council Order

Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

WHEREAS, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

WHEREAS, the City Council has held a public hearing on February 21, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

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

Section 1 The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

Section 2 Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the

City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

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

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.

Approved February 22, 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

ECONOMIC DEVELOPMENT
CITY OF AUBURN, MAINE

An Application for a Municipal Development and Tax Increment Financing District

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FIRST AMENDMENT TO #6 PROCTOR & GAMBLE (TAMBRANDS II) MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM

Approved by:
CITY OF AUBURN
February 22, 2022

Presented to:

CITY OF AUBURN CITY COUNCIL

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I. Introduction

A. Summary of the First Amendment to the #6 Proctor & Gamble (Tambrands II) TIF Development Program

The City seeks its first amendment (the "First Amendment") to the #6 Proctor & Gamble (Tambrands II) Tax Increment Financing ("TIF") District ("District") Development Program ("Development Program"). This First Amendment aims to (1) amend the percentage allocation of TIF revenues between the City and Tambrands Inc. (the "Company") so that for the remainder of the term, the Company will receive seventy-five percent (75%) of TIF revenues rather than forty percent (40%); and (2) to authorize an amendment to the existing Credit Enhancement Agreement (the "CEA") to modify the percentage allocations described above. The First Amendment is being undertaken to assist the Company with a new capital improvement project in the existing District. The Company plans to construct a 116,000-square foot manufacturing and warehouse building addition onto its existing facility, add 84,000-square feet of access drives and truck maneuvering areas, and associated stormwater and electrical infrastructure. Additionally, through these three changes, the City intends to further encourage and facilitate economic development within the District and in the City at large. To the extent this First Amendment does not address provisions of the original District and original Development Program, such original documents remain in full force and effect. Please note that the original Development Program for the District is attached as Exhibit A.

This First Amendment is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "TIF Statute").

B. The Existing District and Development Program

On November 6, 2000, the City of Auburn (the "City") designated the #6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District and adopted the Development Program for the District. The Department of Economic and Community Development ("DECD") approved the original District and the original Development Program in March 30, 2001. The City created the District in order to assist the Company with the acquisition and installation of machinery and equipment and the development of additional research and manufacturing facilities. Additionally, the District was intended to create and retain employment opportunities, improve the City's tax base, and improve the general economy of the State. The term of the District is thirty (30) years. The acreage of the District is 84 acres and the original assessed value of the District is $520,900. The District captured one hundred percent (100%) of the increase in the assessed value in the District as captured assessed value and the City retains sixty percent (60%) of the tax increment revenues from the District while paying the remaining forty percent (40%) to the Company through a CEA.

II. Development Program Amendment Narrative

A. Financial Plan

While the City will continue to capture the full one hundred percent (100%) of increased assessed value as captured assessed value, for the remaining nine years, starting in fiscal year 2022-2023, the City will retain twenty-five percent (25%) of the TIF revenues and allocate seventy-five percent (75%) for the Company through an amended CEA. This First Amendment authorizes and directs an amendment to the Credit Enhancement Agreement be executed to reflect this description. The District will expire on March 30, 2031. Please see Exhibit B for a projection of increased assessed values and tax shifts for the District.

The percentage of TIF revenues not obligated to be paid to the Company pursuant to the Credit Enhancement Agreement for each year will be deposited into the City's Project Cost Subaccount of the Development Program Fund for the District and will be used for various municipal economic development endeavors outlined in the original Development Program attached hereto as Exhibit A.

III. Approval Process for First Amendment

A. Notice of Public Hearing

Attached as Exhibit C is a copy of the Notice of Public Hearing published in the *Sun Journal*, a newspaper of general circulation in the City, a date at least ten (10) days prior to the public hearing on the First Amendment. The public hearing on the First Amendment was held on February 22, 2022, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Minutes of Public Hearing

Attached as Exhibit D, is a certified copy of the minutes of the public hearing held on February 22, 2022, at which time the proposed First Amendment was discussed by the public.

C. Authorizing Votes

Attached as Exhibit E is an attested copy of the City of Auburn Council Order, which was approved by the City Council at a City Council meeting duly called and held on February 22, 2022, approving the First Amendment to the Development Program.

IV. Maine Department of Economic and Community Development Forms

A. Application Cover & Employment Goals form

Attached as Exhibit F is a completed application cover sheet & employment goals form for the First Amendment.

B. Statutory Requirements & Thresholds form

Attached as Exhibit G, is a completed statutory requirements and thresholds form for the First Amendment.

Exhibit A

(Original District and Development Program Materials)

Exhibit B

(Estimated Increased Assessed Values for District & Estimated Tax Shift Benefits)

Exhibit B-1 - Captured Assessed Value & TIF Revenue Projections

#6 Proctor & Gamble (Tambrands II) TIF District – City of Auburn

Fiscal Year	TIF Year	Original Assessed Value	Actual Valuation	Initial Project IAV	New Project IAV	Total Project IAV	Percent of Value Captured in TIF	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mil Rate 21/22: 23.82	Projected Total TIF Revenue	Developer TIF Revenue (75% yrs 22-30)	City TIF Revenue (25% yrs 22-30)
2019-2020	19	$520,900	$9,826,744	$9,305,844	-	$9,305,844	100%	100%	$9,305,844	23.75	$221,014	$88,406	$132,608
2020-2021	20	$520,900	$8,999,252	$8,478,352	-	$8,478,352	100%	100%	$8,478,352	23.75	$201,361	$80,544	$120,817
2021-2022	21	$520,900	$8,915,396	$8,394,496	-	$8,394,496	100%	100%	$8,394,496	23.82	$199,957	$79,983	$119,974
2022-2023	22			$8,394,496	$2,000,000	$10,394,496	100%	100%	$10,394,496	23.82	$247,597	$185,698	$61,899
2023-2024	23			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2024-2025	24			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2025-2026	25			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2026-2027	26			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2027-2028	27			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2028-2029	28			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2029-2030	29			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
2030-2031	30			$8,394,496	$6,000,000	$14,394,496	100%	100%	$14,394,496	23.82	$342,877	$257,158	$85,719
									Years 22-30 Projected Total:		$2,990,612	$2,242,959	$747,653
									Years 22-30 Projected Average:		$332,290	$249,218	$83,073

Assumptions:

1. Projections show anticipated increased assessed values, captured assessed values, and TIF revenues. They also show prior three years of actual captured values.
2. Includes projection of remainder of 30-year district term with 100% capture. Assumes existing project value remains the same as FY21-22 and projects assessed value of new project within the District to include an initial $3 million assessed value and a $6 million assessed value when complete. Assumes a 30-year CEA during which Years 1-20 includes 40% allocation to Developer and 60% allocation to City, Years 22-30 includes 75% allocation to Developer and 25% allocation to City.
3. Projections assume a flat mil rate of 23.82 for the remaining years in the TIF District.
4. Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs.
5. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

Exhibit B-2 - Tax Shift Benefits

#6 Proctor & Gamble (Tambrands II) TIF District – City of Auburn

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2022-2023	22	-	-	-	$0
2023-2024	23	-	-	-	$0
2024-2025	24	-	$9,698	$25,663	$35,361
2025-2026	25	$73,801	$13,371	$35,476	$122,648
2026-2027	26	$102,201	$13,371	$35,476	$151,048
2027-2028	27	$102,201	$13,371	$35,476	$151,048
2028-2029	28	$102,201	$13,371	$35,476	$151,048
2029-2030	29	$102,201	$13,371	$35,476	$151,048
2030-2031	30	$102,201	$13,371	$35,476	$151,048
2031-2032		$102,201	$13,371	$35,476	$151,048
2032-2033		$102,201	$13,371	$35,476	$151,048
2033-2034		$102,201	-	-	$102,201
	Totals:	**$891,408**	**$116,666**	**$309,472**	**$1,317,547**
	Averages:	**$99,045**	**$12,963**	**$34,386**	**$109,796**

Assumptions:

1. Data sources include the 2021-2022 mil rate/commitment reported by the City, Androscoggin County's FY2022 Budget reflecting Tax Allocation, the State Treasurer's Office Municipal Revenue Sharing projections for FY2022, published 07/02/2021, and the Maine Department of Education 01/18/22 2022-2023 ED 279 form for Auburn Schools. Based on these projections, the City of Auburn loses apprroximately 44 cents out of every new tax dollar to subsidy losses and increased County taxes.

2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.

3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.

4. Assumes the assessment ratio in the City is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.

5. The projections above assume that no tax increment financing district is put in place, thus the mil rate is reduced by the influx of new value in the City. This analysis factors in tax shift impacts resulting from the project's new assessed value into future commitments and mil rate calculations to arrive at projected property tax payments.

Exhibit C

(Notice of Public Hearing for First Amendment)

Exhibit C

NOTICE OF PUBLIC HEARING

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Regarding
An Amendment to the Municipal Development and Tax Increment Financing District known as:

"#6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Auburn will hold a public hearing on

February 22, 2022
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the amendment to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the "District") and the adoption of the amendment to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed amendment involves an amendment to the existing Credit Enhancement Agreement with Tambrands, Inc. regarding a proposed new capital project.

A copy of the proposed Development Program Amendment materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at https://www.auburnmaine.gov/or one can call *207-333-6601* during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at sdaillaire@auburnmaine.gov. Written comments will be accepted until 4:00PM on February 22, 2022.

Exhibit D

(Certified Copy of Public Hearing Minutes for First Amendment)

Exhibit E

(City Council Order for First Amendment)

City Council Order

Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

WHEREAS, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

WHEREAS, the City Council has held a public hearing on February 22, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

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

Section 1 The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

Section 2 Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the

City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

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

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.

Approved February 22, 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

Exhibit F

(Application Cover Sheet and Employment Goals for First Amendment)

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Auburn		
2. Address: 60 Court Street, Auburn, ME 04210		
3. Telephone: 207-333-6601	4. Fax: 207-333-6623	5. Email: gholmes@auburnmaine.gov
6. Municipal Contact Person: Glen E. Holmes, Director of Business and Community Development		
7. Business Name: Procter and Gamble Tambrands		
8. Address: 2879 Hotel Road, Auburn, ME 04210		
9. Telephone: 207-753-4000	10. Fax: 513-854-4916	11. Email: bateman.jr@pg.com
12. Business Contact Person: John Bateman		
13. Principal Place of Business: 2879 Hotel Road, Auburn, ME 04210		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): Corporation		
15. Place of Incorporation: Cincinnati, OH		
16. Names of Officers: Executive Chairman of the board – David Taylor; CEO – John Moeller COO – Shailesh G. Jejurikar		
17. Principal Owner(s) Name: David Taylor		
18. Address: 1 Proctor & Gamble Plaza, Cincinnati, OH 45202		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
☐ job creation	☐ job retention	☒ capital investment
☐ training investment	☒ tax base improvement	☐ public facilities improvement
☐ other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
☐ real estate purchase	☐ machinery & equipment purchase	☐ training costs
☐ debt reduction	☒ other (list): Please see development program for approved project costs.	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (*please use next page*).

Attached.

TAMBRANDS II MUNICIPAL TAX INCREMENT FINANCING DISTRICT
FIRST AMENDMENT
EMPLOYMENT GOALS

Company Goals for Job Creation and Job Retention

A. Job Creation Goals			
*Occupational Cluster**	*Full-time*	*Part-time*	*Wage Level*
1. Executive, Professional & Technical	5		$175,200 each annually
2. Administrative Support, inc. Clerical			$
3. Sales & Service			$
4. Agriculture, Forestry & Fishing			$
5. Maintenance, Construction, Production, & Transportation	51		$118,450 each annually
B. Job Retention Goals			
*Occupational Cluster**	*Full-time*	*Part-time*	*Wage Level*
1. Executive, Professional & Technical			$
2. Administrative Support, inc. Clerical			$
3. Sales & Service			$
4. Agriculture, Forestry & Fishing			$
5. Maintenance, Construction, Production, & Transportation			$
**Please use the Occupational Cluster descriptions on the next page to complete this form.*			

INSTRUCTIONS

A. Job Creation Goals. *Please list the number, type and wage level of jobs <u>created</u> as a result of the economic development incentive. NOTE: For this form, "full-time" employment means 30 hours or more; "part-time" employment means less than 30 hours. "Wage level" means the average annual wage paid for jobs created within an occupational cluster, e.g. either their annual salary, or their hourly wage times their annual hours. Also, "type" means "occupational cluster" which refers to the 12 categories defined below. Please include the number of your employees (both full-time and part-time) working within the category that most closely reflects their job duties.*

B. Job Retention Goals. *Please list the number, type and wage level of jobs <u>retained</u> as a result of the economic development incentive. Part B should be completed using same definitions in Part A.*

OCCUPATIONAL CLUSTERS

1. EXECUTIVE, PROFESSIONAL & TECHNICAL

Executive, administrative and managerial. Workers in executive, administrative and managerial occupations establish policies, make plans, determine staffing requirements, and direct the activities of businesses and other organizations. Workers in management support occupations, such as accountant and auditor or underwriter, provide technical assistance to managers.
Professional specialty. This group includes engineers; architects and surveyors; computer, mathematical, and operations research occupations; life, physical, and social scientists; lawyers and judges; social, recreational, and religious workers; teachers, librarians, and counselors; health diagnosing, assessment, and treating occupations; and communications, visual arts, and performing arts occupations.
Technicians and related support. This group includes health technologists and technicians, engineering and science technicians, computer programmers, tool programmers, aircraft pilots, air traffic controllers, paralegals, broadcast technicians, and library technicians.

2. ADMINISTRATIVE SUPPORT, INCLUDING CLERICAL

Administrative support, including clerical. Workers in this group prepare and record memos, letters and reports; collect accounts; gather and distribute information; operate office machines; and handle other administrative tasks.

3. SALES AND SERVICE

Marketing and sales. Workers in this group sell goods and services, purchase commodities and property for resale, and stimulate consumer interest.
Service. This group includes a wide range of workers in protective, food and beverage preparation, health, personal, private household, and cleaning and building services.

4. AGRICULTURE, FORESTRY AND FISHING

Agriculture, forestry and fishing. Workers in these occupations cultivate plants, breed and raise animals, and catch fish.

5. MAINTENANCE, CONSTRUCTION, PRODUCTION & TRANSPORTATION

Mechanics, installers, and repairers. Workers in this group adjust, maintain, and repair automobiles, industrial equipment, computers, and many other types of machinery.
Construction trades and extractive. Workers in this group construct, alter, and maintain buildings and other structures or operate drilling and mining equipment.
Production. These workers set up, adjust, operate, and tend machinery and/or use hand tools and hand-held power tools to make goods and assemble products.
Transportation and material moving. Workers in this group operate the equipment used to move people and materials. This group also includes handlers, equipment cleaners, helpers, and laborers who assist skilled workers and perform routine tasks.

Assumptions:

1 new Morpheus line, 1 PE and 12 technicians.
2 new pearl lines, 1 BL, 1PE, 1MP and 20 technicians
New Warehouse, 1 BL, 9 technicians, 1 support
FPD, 1 PE, 8 technicians

Fully loaded manager = $175,300 each
Fully loaded technician = $118,450 each

Exhibit G

(Statutory Requirements and Thresholds Form for First Amendment)

STATUTORY REQUIREMENTS AND THRESHOLDS

#6 Proctor & Gamble (Tambrands II) Municipal TIF District (#6) | AMD-1

SECTION A. | Acreage Caps		
1. Total **municipal** acreage;		41,430
2. Acreage of **proposed** Municipal TIF District;		84
3. **Downtown-designation**[1] acres in proposed Municipal TIF District;		0
4. **Transit-Oriented Development**[2] acres in proposed Municipal TIF District;		0
5. **Total acreage [=A2-A3-A4]** of proposed Municipal TIF District counted toward 2% limit;		84
6. **Percentage [=A5÷A1]** of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		.203%
7. **Total acreage** of all existing/proposed Municipal TIF districts in municipality **including** Municipal Affordable Housing Development districts:[3]*	Existing	632.31
#6 Proctor & Gamble (Tambrands II)/84 acres #10 Downtown Omnibus/264.18 acres #13 Retail Development/29.67 acres #15 Mall Area Hotel/1.5 acres #18 Norway Savings Bank Arena/8.53 acres #20 62 Spring Street/.81 #22 Hampshire Street/1.01 #24 Gracelawn/2.92 #9 Mall Area/57.74 acres #12 Auburn Industrial Park/144 acres #14 Mall Revitalization/38.91 #16 Webster School AHTIF/1.4 acres #19 Hartt Transportation Industrial Park/43 acres #21 477 Minot Ave/3.83 #23 Memory Care/8.61 #25 FutureGuard/26.2	Proposed	84
	Total:	716.31

30-A § 5223(3) EXEMPTIONS[4]		
8. Acreage of an existing/proposed **Downtown** Municipal TIF district;		264.18
9. Acreage of all existing/proposed **Transit-Oriented Development** Municipal TIF districts:		0
10. Acreage of all existing/proposed **Community Wind Power** Municipal TIF districts:		0
11. Acreage in all existing/proposed Municipal TIF districts **common to**[5] Pine Tree Development Zones per 30-A § 5250-I (14)(A) **excluding** any such acreage also factored in Exemptions 8-10 above:		0
12. **Total acreage [=A7-A8-A9-A10-A11]** of all existing/proposed Municipal TIF districts counted toward 5% limit;		452.13
13. **Percentage of total acreage [=A12÷A1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).		1.091%
14. **Real property** in proposed Municipal TIF District that is:	ACRES	**% [=Acres÷A2]**
a. A blighted area;	0	0
b. In need of rehabilitation, redevelopment or conservation;	0	0
c. Suitable for commercial or arts district uses.	84	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

*The acreages for existing TIF districts are consistent with existing approved TIF development program documentation and do not necessarily represent revisions that might result in time to acreages from updated surveys and assessing software information.

[1] Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).
[2] For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.
[3] For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.
[4] Downtown/TOD overlap nets single acreage/valuation caps exemption.
[5] PTDZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS

#6 Proctor & Gamble (Tambrands II) Municipal TIF District (#6) | AMD-1

SECTION B. | Valuation Cap		
1. **Total TAXABLE** municipal valuation—use most recent April 1;	$1,973,954,411	
2. **Taxable Original Assessed Value (OAV)** of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	$520,900	
3. **Taxable OAV of all** existing/proposed Municipal TIF districts in municipality **excluding** Municipal Affordable Housing Development districts: #6 Proctor & Gamble (Tambrands II)/$520,900 #9 Mall Area/$5,956,300 #10 Downtown Omnibus/$83,168,800 #12 Auburn Industrial Park/$334,200 #13 Retail Development/$5,425,400 #14 Mall Revitalization/$11,328,400 #15 Mall Area Hotel/$4,900 #18 Norway Savings Bank Arena/$1,564,100 #19 Hartt Transportation Center/$1,278,600 #20 62 Spring Street/$474,300 #23 Memory Care/$327,100 #24 Gracelawn/$262,600 #25 FutureGuard/$3,838,700	Existing	$113,963,400
	Proposed	$520,900
	Total:	$114,484,300
30-A § 5223(3) EXEMPTIONS		
4. **Taxable OAV** of an existing/proposed **Downtown** Municipal TIF district;	$83,168,800	
5. **Taxable OAV** of all existing/proposed **Transit-Oriented Development** Municipal TIF districts:	0	
6. **Taxable OAV** of all existing/proposed **Community Wind Power** Municipal TIF districts:	0	
7. **Taxable OAV** of all existing/proposed **Single Taxpayer/High Valuation**[6] Municipal TIF districts:	0	
8. **Taxable OAV** in all existing/proposed Municipal TIF districts **common to** Pine Tree Development Zones per 30-A § 5250-I **(14)(A) excluding** any such OAV also factored **in** Exemptions 4-7 above:	0	
9. **Total taxable OAV [=B3-B4-B5-B6-B7-B8]** of all existing/proposed Municipal TIF districts counted toward 5% limit;	$31,315,500	
10. **Percentage of total taxable OAV [=B9÷B1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).	1.586%	

COMPLETED BY			
PRINT NAME	Shana Cook Mueller		
SIGNATURE	Shana Cook Mueller	DATE	February 11, 2022

If this form has **not be completed by the municipal or plantation assessor**, the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.

PRINT NAME	Karen Scammon, CMA-4, City Assessor		
SIGNATURE	Karen Scammon	DATE	2-11-22

[6] For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

STATE OF MAINE
DEPARTMENT OF
ECONOMIC AND COMMUNITY DEVELOPMENT
33 STONE STREET
59 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0059

ANGUS S. KING, JR.
GOVERNOR

STEVEN H. LEVESQUE
COMMISSIONER

March 30, 2001

Patricia Finnigan
City Manager
City of Auburn
45 Spring Street
Auburn , ME 04210

Dear Ms. Finnigan:

The Maine Department of Economic and Community Development ("the department") has reviewed and conditionally approved the City of Auburn's application to create the Procter & Gamble (Tambrands II) Municipal Development Tax Increment Financing District ("the district"). The district takes effect today and is designated for a period of thirty (30) years. Approval is subject to the following provision: should Tambrands or any other employer in this district receive TIF payments that exceed $10,000 in a calendar year, **they must submit an annual written report no later than August 1st of the following year,** in accordance with 5 MRSA §13070-J(3).

The City of Auburn is authorized to use the tax increment arising from captured value expressly for the credit enhancement agreement components defined in the development program. **The department is withholding approval of all other economic development projects and public improvements identified in the proposal pending receipt of further information from the City regarding these projects.** Any changes to the approved development program require an amendment that is adopted in the same manner as the initial designation, and approved by the department.

In the event that tax increment revenues derived from the district are deposited into the City's general fund, or spent on unapproved projects, the incremental property values generating those revenues must be included with the City's equalized assessed value, and therefore not subject to capture.

The district designation remains in effect for the term described above or until the authorized project costs are expended. If for any reason the City decides to forfeit this designation, it must promptly notify the department.

If you have questions regarding this approval or the annual economic development incentive reporting requirements, please do not hesitate to contact Jim Nimon, TIF Program Manager, at 287-2656.

Sincerely,

Steven H. Levesque
Commissioner

cc: Anthony Neves, State Tax Assessor
Larry Record, Director of Property Tax
Roland Miller, Community Services Director

City of Auburn

City Council

AGENDA

Information Summary

Date: November 6, 2000 Item # 6

ITEM: **Resolve** – Authorizing the City Manager to Submit the Tambrands, Inc. Tax Increment Finance District (TIF #6) to the State Dept. of Economic and Community Development.

SUMMARY: This Resolve would establish a TIF District which creates an incentive for Tambrands to make investments of not less than $25 million in machinery and equipment as part of its continued modernization and re-engineering efforts to stay competitive in a global market.

STAFF RECOMMENDATION: The City has established a TIF policy which creates performance standards that businesses must adhere to in order to be eligible for consideration as a TIF district. These include a substantial increase in their investment in Auburn, significant additions to the tax base, creation or retention of high quality, high skill jobs which pay livable wages and provide benefits, and which are committed to elevating employees' skill levels especially with respect to technology. As Auburn's largest high tech employer, Tambrands meets or exceeds each of these criteria.

REQUESTED ACTION: Approval of the Resolve.

MOTION: Motion to Authorize the City Manager to Submit TIF District # 6 to the State Dept. of Economic and Community Development for Approval.

VOTE:

Circle denotes vote of each councilor

Mayor* Young		Ward 1 Levine		Ward 2 Livingston		Ward 3 DeFilipp		Ward 4 Carbonneau		Ward 5 Dennison		At-Large 1 Guay		At-Large 2 Matzen	
Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N

City Clerk _____ Date ___/___/20___

City of Auburn, Maine

City Council, Auburn, Maine
Date: November 6, 2000

TITLE: RESOLVE - Authorizing the City Manager to Submit the Tambrands, Inc. Municipal Development and Tax Increment Financing District Development Plan (TIF #6) to the State Department of Economic and Community Development.

WHEREAS, the City of Auburn, Maine ("City") is considering whether to designate the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 and adopt the Development Program for the District presented to the City Council, designation and adoption to be pursuant to the following terms and provisions; and

WHEREAS, the City is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the City as a Municipal Development and Tax Increment Financing District (the "District") and to adopt a Development Program for such District; and

WHEREAS, there is a need for commercial development in the City; and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region to improve and broaden the tax base of the City and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, the expansion will help to provide continued employment for the citizens of Auburn and the surrounding region, improve and broaden the tax base in the City, and improve the economy of the City and the State of Maine; and

WHEREAS, the Public Improvements contemplated by the Development Program will enable the City to expand its tax base, and to improve the economic environment within the City in order to attract additional businesses to the City; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial facilities through the establishment of Municipal Development and Tax Increment Financing Districts in accordance with the provisions of Chapter 207 of Title 30-A; and

WHEREAS, on November 6, 2000 the City will hold a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. § 5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

WHEREAS, the City desires to designate the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 and adopt a Development Program for such District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development approving the designation of the District and the adoption of the Development Program for the District;

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

Section 1. The City hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for industrial sites as defined in 30-A M.R.S.A. 5253; and

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

c. The total equalized value of taxable property within the District as of April 1, 2000 together with the equalized value of taxable property in other existing districts measured as of the April I preceding the designation of each such district, does not exceed five percent (5 %) of the total equalized value of taxable property within the City as of the date hereof, and

d. The aggregate value of municipal indebtedness financed by the proceeds from tax increment financing districts within Androscoggin County, including the proposed District, does not exceed $50 million: and

e. The designation o f the District and pursuit of the Development Program willgenerate substantial economic benefits for the City and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

f. The proposed District and Development Program will make a contribution to the economic growth or well-being of the City. The Public Improvements contemplated by the Development Program will enable the City to improve its economic climate and construct improvements and other collateral economic inducements to attract new businesses to the City.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the Proctor & Gamble Co. Municipal Development and Tax increment Financing District #7, designated and described as more particularly set forth in the "Tambrands, Inc. Municipal Development and Tax Increment Financing District (#6) Development Program" presented to the City Council in the form attached hereto and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5254, the percentage of captured assessed value to be retained in accordance with the Development Program is hereby established as set forth in the Development Program.

Section 4. The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5253(I)(F).

Section 5. The City Manager be and hereby is authorized and empowered, at her discretion, from time to time, to make such technical revisions to the Development Program for the District as may be reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 6. The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District in adoption of the Development Program by the Department of Economic and Community Development, without requirements of further action by the City, the City Council, or any other party.

Section 7. The City Manager be and hereby is authorized and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, and 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, such approval to be conclusively evidenced by such execution thereof.

Motion for acceptance: Seconded by:
Yeas Nays

Action by the City Council: Date: November 60, 2000

ATTESTED:
City Clerk

CITY OF AUBURN, MAINE

MALL AREA MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT #6 DEVELOPMENT PROGRAM

DATED: November 6, 2000

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ARTICLE I

Development Program Narrative

Section 1.01. Introduction

a. General Description of the District

The City of Auburn desires to attract and retain quality jobs and commercial development, to create and maintain a healthy tax base, to improve the economy of the City and the State of Maine and to provide for construction of new public infrastruture and improvements to facilitate economic development. In order to fulfill these goals, the following property is being designated as the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6: An area consisting of approximately 84 acres, comprising a portion of the following City of Auburn parcels as described below.

The property which is located at and is bounded on the North by Kittyhawk Avenue, on the east by Hotel Road, and on the south by the Saint Lawrence and Atlantic Railroad tracks, has been preliminarily designated as the Tambrands, Inc. Municipal Development and Tax Increment Financing District #6 (the "District") by the City of Auburn, Maine (the "City"). The Property consists of a portion of Auburn Tax Map No. 2A, Lot 18A , 2A-18B and 2A-113 which is owned by Tambrands, Inc. (the "Company"). A plan depicting the District is attached as **Exhibit A**. The property outlined in black is specifically excluded from the District. The Development Program described herein is proposed for the purpose of administering the District as a municipal development and tax increment financing district pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended (the "Development Program"). Upon resolution of the Auburn City Council designating the District and adopting this Development Program, the designation of the District and adoption of the Development Program will immediately become final subject only to approval by the Maine Department of Economic and Community Development ("DECD").

The purpose of the District is (a) to assist the Company with the acquisition and installation of certain machinery and equipment and the development of additional research and manufacturing facilities within the District; (b) to finance costs associated with certain public improvements within the District consisting of infrastructure improvements, including, but not limited to, roadways, access roadways, water, sewer, storm drains, road junctions, sidewalks and landscaping ("Public District Improvements") and (c) to finance costs associated with certain economic development and infrastructure improvements within the City (the "Public Improvements") as hereinafter identified.

b. The Company Project

As described above, the District contemplates both Public Improvements and development by the Company. One purpose of the District is to assist the Company in financing the acquisition and installation of manufacturing machinery and equipment in the District (the "Project"). The Project is ongoing and the full extent of the Project has not yet been decided. At a minimum the Project is currently expected to allow for a

major expansion of the Company's manufacturing capacity through a substantial addition of machinery and equipment.

For purposes of this Development Program and for purposes of calculating captured assessed value, all additions by the Company to its manufacturing machinery and equipment and related assets after April 1, 2000 and all additions and new plants and facilities constructed after April 1, 2000 at its complex in Auburn, shall be deemed to be in the District on April 1st of each subsequent year until disposed of or moved away from the complex.

During the term of the Development Program the City will capture 100% of the increase in the assessed value in the District, and will retain 60% of the retained tax increment revenues from the District for its own use to finance some or all of the estimated cost of public improvements. The City will allocate the remaining balance of the retained tax increment revenues from the District to the Company pursuant to a Credit Enhancement Agreement between the City and the Company (the "Credit Enhancement Agreement") provided that the total amount paid to the Company in any year shall not exceed 40% of the tax increment of that year, and the aggregate amount paid under the Development Program may not exceed total project costs incurred by the Company during the term of the Development Program.

These tax increment revenues will be used by the Company either to pay a portion of the capital costs of the Project directly or to assist in paying debt service on monies borrowed by the Company to finance the cost of the Project. The cost so financed will represent only a portion of the Company's Project costs. All additional costs will be the sole responsibility of the Company. (See Section 1.05 "Uses of Private Property" and Section 2.03 "Indebtedness" herein).

c. Public Improvements

In addition to the Company's Project in the District, the City will use the captured tax increment revenues from the District to finance some or all of the costs of the following types of projects (being the Public Improvements and Public District Improvements): (i) to fund the infrastructure improvements within and abutting the District, including, but not limited to, roadways, access roads, junctions, traffic signals, sewer, water, storm drains, sidewalks and landscaping (hereinafter called the Public District Improvements) (ii) to develop new employment opportunities in the City and to pay other Project Costs as described in 30-A MRSA §5252(8)(B)(11); (iii) to provide for costs reasonably related to the construction, alteration or expansion of facilities not located within the district that are required due to improvements or activities within the District as described in 30-A MRSA §5252(8)(B)(9), including road, water, sewer, stormwater and environmental protection improvements and fire and public safety projects; (iv) to fund the City's economic development programs including, but not limited to, the implementation of the Auburn Downtown Action Plan For Tomorrow being the City's downtown revitalization program; (iv) to fund environmental improvement programs; and (v) to fund infrastructure improvements, and other Project Costs, all as permitted under 30-A M.R.S.A. § 5252(8)(B)(herein collectively called the "Project Costs"). The Public Improvements are further described in Section 1.04 hereof. The City Council finds that each of the specific projects described herein will either directly

or indirectly provide or encourage new employment opportunities within the City, encourage and promote economic development that will broaden the City's tax base, and improve the general economy of the City.

The estimated costs of the projects which may be included as part of the Development Program are identified in **Exhibit B** attached hereto. The specific public improvement projects to be financed with the City's portion of the tax increment financing revenues will be approved through subsequent City Council action pursuant to the City's Charter.

The Project and all associated improvements acquired or financed under this Development Program other than the Public Improvements and other Project Costs will be located within the District. The proposed District will encompass approximately 91 acres and will be located on the premises of the Company's manufacturing facility and complex in Auburn, Maine.

Section 1.02. Statement of Means and Objectives.

a. Development District

The Company constantly searches for ways to improve its operations in order to remain competitive and to service its markets. The Project represents an investment in the Company's future and is intended to increase the Company's capabilities and is a necessary component of the capital investment needed to ensure adequate capacity and a top-quality product. The Project continues the Company's long-standing goal of capital investment with the goal of long-term benefits. The Company plans to undertake this Development Program in order to improve its manufacturing efficiency, capabilities, and working environment.

The Company's investment will create additional tax base within the City and help retain employment within the region and will upgrade necessary production equipment to ensure the continued long-term success of the Company in the City. The Project will also assist the Company in expanding its production capabilities by adding incremental production capacity, enhancing cost competitiveness, and enabling it to sustain its operations in Auburn. See Section 1.05 Uses of Private Property.

In summary, the means and objectives of the District are to finance certain Public Improvements intended to promote economic development and expand the tax base of the City for the benefit of the citizens of the City and to assist the Company in the continuing improvement and modernization of its manufacturing facility and complex. The City recognizes that the Company competes in an increasingly competitive market. The City's assistance provided through the Development Program is intended to help the Company to become more cost competitive and to modernize its operations. To the extent the City can assist the Company in its objective of keeping the Tambrands facility cost competitive, the following public benefit results:

a. Increased property tax base;
b. Creation of an environment that will encourage future investment by the Company at its Auburn facility;

C. Retained employment;
d. Increased flow of revenues to the state and local area; and
e. Increased consumption of goods and services in the Auburn, Maine area.

Section 1.03. Brief Discussion of Financial Plan

The financial plan for the District is set forth in greater detail in Article II below. The following is a brief summary of the plan. The anticipated investment in the District is initially $5,000,000, with similar investments occurring annually for at least the next 5 years.

The Project has already started and following DECD approval, completion of the Project will be phased in over the life of the Development Program. As part of the Development Program, the Company is requesting that the City assist it with the Project (i) by capturing one hundred percent (100%) of the increase in assessed value in the District and (ii) by entering into the Credit Enhancement Agreement with the Company pursuant to which the City will retain sixty percent (60%) of the retained captured municipal tax increment, to finance some or all of the Public Improvements, and make available to the Company the balance of the retained captured municipal tax increment revenues on the captured assessed value of the District to assist the Company in financing a portion of the Project. The Development Program will remain in effect for a period of thirty (30) years. The revenues allocated to the Company will be used by the Company either to assist it in paying debt service related to financing the Project or as direct payments toward a portion of the cost of the Project.

Section 1.04. Description of Public Facilities to be Constructed

The City's existing infrastructure is anticipated to be adequate to service the Project, so no public sewer, water, transportation or other infrastructure facilities must be constructed in connection with the Project, although certain street improvements including traffic signals at strategic locations may be undertaken in the future. Other Public Improvements will be completed to assist the City in its efforts to increase employment and economic development in general and specifically to implement the Auburn Downtown Action Plan For Tomorrow being the City's downtown revitalization Program. These improvements will be approved by the City Council on an as needed basis as the various projects are considered and implemented.

Section 1.05. Uses of Private Property

The Project involves the acquisition and/or construction by the Company of approximately $5,000,000 of new machinery and equipment and the expansion of its manufacturing facility per year for five years within the District and to fund certain feasibility studies with respect to proposed construction of a new research and manufacturing facility at the Company's complex and the development of new product lines. Some of the machinery and equipment will be located in the Tambrands, Inc. Development and Tax Increment Financing District Development Program District dated March 6, 1998 and approved by the Maine Department of Economic Community Development effective March 27, 1998. The acquisition and installation of all improvements will be supervised by the Company and will be subject to all required

state and local approvals. All capital improvements related to the Project will be located in the District except for certain machinery and equipment which will be located in Tambrands, Inc. Development and Tax Increment Financing District accepted by the Maine Department of Economic and Community Development on March 27, 1998. The actual and proposed use of the District is in keeping with current zoning requirements, as manufacturing facilities are a permitted use in the zone in which the District is located.

Section 1.06. Relocation of Displaced Persons

Not applicable.

Section 1.07. Proposed Regulations and Facilities to Improve Transportation

The Project, as it is currently proposed, will not affect vehicular and pedestrian transportation. Existing transportation facilities are adequate to accommodate the Project.

Section 1.08. Environmental Controls

The improvements contemplated by the capital improvement program will comply with all requirements of the City's ordinances, including its Zoning Ordinance. With the exception of (i) any building, site plan and other construction permits to be applied for in the ordinary course, and (ii) any occupancy permits, no further zoning permits, licenses or other local approvals are anticipated to be necessary in connection with the improvements.

The Company will take all steps required by the Maine Department of Environmental Protection ("DEP") in order to ensure that the acquisition, installation, construction and operation of the improvements complies with all state environmental rules and regulations. All air emission, waste water discharge or other licenses required in connection with the Project either have been, or will be, applied for and obtained by the Company as required by applicable law, rule and regulation.

Section 1.09. Plan of Operation Upon Completion

The improvements in the District will at all times be owned by the Company, its successors or assigns, which will be responsible for payment of all maintenance expenses, insurance and taxes on said improvements. During the life of the District, the City Manager or the Manager's designee will be responsible for all administrative matters concerning the implementation and operation of the District. The Company shall be solely responsible for implementation of the Project in the District.

Section 1.10. Program Duration

The duration of the District will begin on the designation of the District and the effective date of its approval by the Maine Department of Economic and Community Development and end on the earlier of 30 years thereafter or payment of all Project costs.

ARTICLE II

Financial Plan

Section 2.01. General Characteristics

The proposed tax increment financing district will encompass approximately 84 acres of taxable property with a total value of land and buildings as of April 1, 2000, in the amount of $520,900.

This Development Program requires the establishment of a Development Program Fund consisting of a Project Cost Account (with a Tambrands Project Cost subaccount and a Public Improvement Project Cost subaccount) pledged to and charged with payment of project costs and a Development Program Sinking Fund Account to pay debt service on any debt financed Project costs.

Section 2.02. Cost Estimates for Development Program

The estimated initial cost of the Company's Project under the Development Program is approximately $5,000,000 per year for five years.

Section 2.03. Indebtedness

None of the costs of the Project will be financed through issuance of any municipal indebtedness. If the Company incurs indebtedness with respect to the Project, revenues in the Tambrands Project Cost subaccount in the Project Cost Account of the Development Program Fund established hereunder, which shall consist of the Company's allocable share of tax increment revenues on the retained captured assessed values of the District and any earnings thereon, may be applied to such indebtedness.

Section 2.04. Sources of Anticipated Revenues

The sources of anticipated revenues generated by the District and to be used to pay the Company under the Credit Enhancement Agreement are (i) municipal tax increment revenues on retained captured assessed values, which will be deposited as received into the Tambrands Project Cost subaccount in the Project Cost Account of the District's Development Program Fund, and (ii) earnings on such amounts. The Company will be responsible for making all arrangements for and payments with respect to all additional monies needed to fund the Project.

Separate subaccounts in the Project Cost Account shall be established for the Public Improvements and the Project. Upon receipt of each payment of property tax by the Company, the City shall, within fifteen (15) days, (a) deposit that portion of each payment of property tax allocated for Public Improvements into the public improvement subaccount; and (b) deposit that portion of each payment of property tax allocated to the Project to the project cost subaccount. The municipal tax increment revenues projected to be paid to the Company under the Credit Enhancement Agreement for 30 years are reflected in Table No. I below.

TABLE NO. I	
Annual Tax	
Tax Year Beginning April I	Increment Revenues Allocable to Company
2000	Base Year
2001	$ 56,000
2002	$106,400
2003	$161,760
2004	$192,584
2005	$229,320
2006	$206,382
2007	$185,740
2008	$170,060
2009	$158,917
2010	$151,860
2011	$148,784
2012	$141,054

Tax Year Beginning April 1	Annual Tax Increment Revenues Allocable to Company
2013	$ 134,000
2014	$ 127,300
2015	$ 120,937
2016	$ 114,890
2017	$ 112,000
2018	$ 112,000
2019	$ 112,000
2020	$ 112,000
2021	$ 112,000
2022	$ 112,000
2023	$ 112,000
2024	$ 112,000
2025	$ 112,000
2026	$ 112,000
2027	$ 112,000
2028	$ 112,000
2029	$ 112,000
2030	$ 112,000
Total	$3,973,988

The total projected tax increment, the City's share, and the tax shifts resulting from the District are shown on **Exhibit C** hereto.

Note: Estimated Tax Rate of $0.028/1000; assumes no increase in the tax rate and no depreciation or appreciation in value

Section 2.05. Financial and Statistical Data

A summary of financial and statistical information relating to the District's satisfaction of certain conditions imposed under Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, as a prerequisite to designation of the District, is set forth in **Exhibit D**. Additional information is set out below.

a.	Total value of equalized taxable property of the City as of April 1, 2000	$1,058,900,000
b.	Total assessed value of the District as of April 1, 2000	$ 520,900
c.	Total value of equalized taxable property as of April 1 preceding the date of designation of all other Tax Increment Financing Districts within the city	$ 2,753,500
d.	Percentage of total assessed value of the City represented by total assessed value of the District and other districts (the sum of lines b and c divided by line a .003092265%	.003092265%

e. Aggregate original principal amount of municipal general obligation indebtedness financed by the proceeds from tax increment financing districts within Androscoggin County, does not exceed $50,000,000.

f. Total taxable acreage in the City of Auburn is 41,430 Acres.

g. The acreage included in the existing financing Districts in the City of Auburn is 156.2 or .004% of the City's taxable acreage.

See the list of currently existing tax increment financing districts attached as **Exhibit E** hereto.

Attached hereto as **Exhibit F** is a certification of original assessed value executed by the City Assessor of the City of Auburn in accordance with the requirements of 30-A M.R.S.A. § 5254(2) certifying that the original assessed value of the District as of March 31, 2000 was $520,900.

Section 2.06. Estimated Impact of Financing Upon Taxing Jurisdiction

In accordance with Maine statutes governing the establishment of tax increment financing districts, the table set forth below identifies estimated tax shifts which will result during the term of the District from the establishment of the District, using formulas reviewed by the Department of Economic and Community Development.

Table No. 2
Tax Shifts

Tax Shift Item	Average Annual Amount	Total Undiscounted Amount
Educational Aid	$ 94,726.14	$2,841,784.20
County Tax	$ 15,761.07	$ 472,832.10
State/Municipal Revenue Sharing	$ 30,683.68	$ 920,510.40
Total All Tax Shifts:	**$ 141,170.89**	**$4,235,126.70**

Attached hereto as **Exhibit G** is a summary of the methodology utilized in calculating tax shifts.

Section 2.07. Duration of Development Program

The Development Program shall continue in effect for thirty (30) years after approval by DECD.

ARTICLE III

Physical Description

Section 3.01. Description of District

The District is the 84 acre parcel comprised of the Company's facility and complex located in Auburn, Maine. The District is delineated on **Exhibit A** hereto.

Section 3.02. Site Location Map

Set forth on **Exhibit A** is a tax map of the City reflecting the approximate location of the District within the City.

ARTICLE IV

Municipal Approvals

Section 4.01. Public Hearing

Attached hereto as **Exhibit H** is a copy of the Notice of Public Hearing held in accordance with the requirements of 30-A M.R.S.A. §5253. The Notice was published in the *Lewiston Sun* Journal, a newspaper of general circulation in Auburn on October 23,2000, a date at least ten (10) days prior to the public hearing. A public hearing was held at a City Council Meeting on November 6, 2000.

Section 4.02. Authorizing Votes

Attached as **Exhibit I** is a copy of the votes adopted at a City Council Meeting of the City of Auburn at a meeting thereof duly called and held on November 6, 2000 preliminarily designating the District and adopting the Development Program.

ARTICLE V

Agreement Regarding Valuation Issues

a. There are certain assumptions regarding valuation and depreciation of assets, which underlie the analysis set forth in this Development Program. The City and the Company both covenant and agree that the assumptions, analysis and results set forth in this Development Program shall in no way prejudice the rights of either party or be used, in any way, by either party in either presenting evidence or making argument in any dispute which may arise in connection with valuation of the property within the District.

b. In the event of a revaluation of property within the City during the term of the District, the City and the Company agree that they will enter into good faith negotiations to amend the Credit Enhancement Agreement so that the Company and the City receive the benefits contemplated by this Development Program.

Exhibit B

Potential Economic Development Projects that would be Funded with Tambrands TIF Revenues

I. Development Plans

A. To fund the costs associated with certain public improvements within and adjacent to the Tambrands Tif District consisting of infrastructure improvements.

B. In general to pursue the goals and objectives contained in the Auburn Downtown Action Plan For Tomorrow adopted by the Auburn City Council on Feb. 1, 1999

C. Purchase of land for a new Industrial Park.

II. Project Categories for Tambrands Inc. Area Master Plan

A. Capital Costs for the Construction of Public Infrastructure improvements (30-A MRSA Section 5252 (8)(B)1(a).

- Roadways
- Access roadways
- Water and Sewer drains
- Road Junctions
- Sidewalks
- Landscaping

B. Capital costs for the purchase of land for a new industrial park (30-AMRSA Section 5252(8).

III. Project Categories for Downtown Economic Development Program:

A. Developing new employment opportunities and funding the City's economic development program (30-A M.R.S.A. section 5252(8)(B)(11)

- Redevelopment of the downtown business district
- Acquisition of land and construction of parking garage(s)
- Construction of esplanade underground parking garage
- Acquisition of land and construction of River Walk
- Acquisition of land and construction of Festival Plaza
- Professional Service Costs, including, but not limited to, architectural, planning, engineering and legal advice and services

Exhibit C

Tambrands TIF Projections

TIF Year	Tax Year	Projected Investment Real Estate	Projected Investment Personal Property	Cumulative Investment	Projected Increase in Captured Assessed Value Real Estate	Projected Increase in Captured Assessed Value Personal Property	Projected Increase in Captured Assessed Value Total Increase	%of CAV Retained	Annual TIF Revenues	Company %	Company Share	City %	City Share
Base	2000-2001	0	$ 0	$ 0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1	2001-2002		5,000,000	5,000,000	0	$ 5,000,000	$ 5,000,000	100%	$140,000	40%	$ 56,000	60%	$ 84,000
2	2002-2003		5,000,000	10,000,000	0	9,500,000	9,500,000	100%	266,000	40%	106,400	60%	159.600
3	2003-2004		5,000,000	15,000,000	0	13,550,000	13,550,000	100%	379,400	40%	161,760	60%	227,640
4	2004-2005		5,000,000	20,000,000	0	17,195,000	17,195,000	100%	481,460	40%	192,584	60%	288,876
5	2005-2006		5,000,000	25,000,000	0	20,475,000	20,475,000	100%	573,300	40%	229,320	60%	343,980
6	2006-2007		0	25,000,000	0	18,427,000	18,427,000	100%	515,956	40%	206,382	60%	309,574
7	2007-2008		0	25,000,000	0	16,584,000	16,584,000	100%	464,352	40%	185,740	60%	278,612
8	2008-2009		0	25,000,000	0	15,184,000	15,184,000	100%	425,152	40%	170,060	60%	255,092
9	2009-20010		0	25,000,000	0	14,189,000	14,189,000	100%	397,292	40%	158,917	60%	238,375
10	2010-2011		0	25,000,000	0	13,559,000	13,559,000	100%	379,652	40%	151,860	60%	227,792
11	2011-2012		0	25,000,000	0	13,257,000	13,257,000	100%	371,196	40%	148,784	60%	222,448
12	2012-2013		0	25,000,000	0	12,594,000	12,594,000	100%	352,636	40%	141,054	60%	211,582
13	2013-2014		0	25,000,000	0	11,964,000	11,964,000	100%	335,000	40%	134,000	60%	201,000
14	2014-2015		0	25,000,000	0	11,365,000	11,365,000	100%	318,242	40%	127,300	60%	190,942
15	2015-2016		0	25,000,000	0	10,798,000	10,798,000	100%	302,341	40%	120,937	60%	181,407
16	2016-2017		0	25,000,000	0	10,258,000	10,258,000	100%	287,227	40%	114,890	60%	172,337
17	2017-2018		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
18	2018-2019		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
19	2019-2020		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
20	2020-2021		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
21	2021-2022		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
22	2022-2023		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
23	2023-2024		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
24	2024-2025		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
25	2025-2026		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
26	2026-2027		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
27	2027-2028		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
28	2028-2029		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
29	2029-2030		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
30	2030-2031		0	25,000,000	0	10,000,000	10,000,000	100%	280,000	40%	112,000	60%	168,000
		0	$25,000,000	$800,000,000		$353,899,000	$353,899,000		$10,009,206	40%	$3,859,098	60%	$ 5,945,260
				$ 21,666,666		$ 11,796,633	$ 11,796,633		$ 333,640	40%	$ 128,636	60%	$ 198,175.33

ASSUMPTIONS

Years in projection	20
Mill Rate (per Thousand)	28
Property Appreciation and Depreciation based on Discussions with Town Assessor	

EXHIBIT D

Statistical Data Related to TIF District #6
(as required by Title 30-A Chapter 207)

1. Total acreage of municipality:		41,430 acres
2. Total acreage of proposed municipal tax increment financing district		84 acres
3. Percentage of total acreage in proposed municipal tax increment financing district: (Line 3 divided by Line 1, cannot exceed 2%).		.0020275
4. Total acreage of all existing and proposed municipal tax increment financing districts in the municipality:		156.2 acres
5. Percentage of total acreage in all existing and proposed municipal tax increment financing districts: (Line 4 divided by Line 1, cannot exceed 5%)		.0057977
6. Total acreage of all real property in the proposed tax increment financing district that is:		
(a)	Blighted:	0 acres
	Line 6.a divided by Line 2:	0%
(b)	In need of rehabilitation or conversion:	0 acres
	Line 6.b divided by Line 2:	0%
(c)	Suitable for commercial sites:	acres
	Line 6c divided by Line 2:	100%

The percentage resulting from either 6.a, 6.b or 6.c must be equal or exceed 25%

Exhibit E

Tax Increment Financing Districts Approved By The State Of Maine

MUNICIPALITY	DATE APPROVED	DEBT TERM	PROJECT DOCUMENTS/DISTRICT/COMPANY
Saco York County	06/05/85	15 years	Sewer Treatment plant and pump station
Rockland Knox County	06/05/85	3 years	Van Baalen Pacific Expansion; fire protection booster pump
Gardiner Kennebec County	08/29/85	10 years	Associated Grocers Warehouse: water main and pump station
Scarborough Cumberland County	01/24/86	20 years	City Center Facility
Brewer Penobscot County	04/09/86	15 years	Lemforder Z/F: construction of building and purchase of machinery and equipment
Caribou Aroostook County	04/17/86	10 years	Caribou Motor Inn: sewer line extension
Scarborough Cumberland County	04/17/86	20 years	Eight Corners Development Area (Payne Road); sewer/water
Saco York County	12/31/86	15 years	Relocation of utility lines and dredging of Saco River
South Portland Cumberland County	03/31/87	15 years	Sable Oaks Subdivision: widen public road
Wilton Franklin County	10/23/87	20 years	Sewer and water line extensions and pump station
Bath Sagadahoc County	07/05/88**	20 years	Office/retain building, parking
Pittsfield Somerset County	08/23/88 amended 09/11/95	3 years	Land Purchase
Brunswick Cumberland County	03/21/89	20 years	Sewer line extension
Auburn Androscoggin County	05/12/89	20 years	Sewer and water line extension, roadway construction
Freeport Cumberland County	08/16/89	20 years	Sewer line and roadway improvements
Topsham Sagadahoc County	05/12/89	20 years	Numerous infrastructure improvements
Auburn Androscoggin County	11/01/89	20 years	Land, acquisition, street, site, water, sewer improvements
Brewer Penobscot County	11/29/89	7 years	Land, building, and machinery and equipment acquisition
Augusta Kennebec County	03/19/90	18 years	Numerous infrastructure improvements
Old Orchard Beach York County	03/26/90	20 years	Sewer and downCity improvements
Wilton Franklin County	07/20/90	10 years	Purchase of machinery and equipment
Old City Penobscot County	11/02/99**	22 years	James River Corporation: paper machine purchase
Presque Isle Penobscot County	04/06/92; amended 06/15/92	3 years	Aroostook County Mall; rail relocation and Maysville St. reconstruction
Waterville Kennebec County	09/30/92; amended 12/19/94	15 years 18 years	Build Wal-Mart; widen/construct road, traffic signal Increase CAV to 80%; extend term to 18 years; establish downCity job retention fund
Auburn Androscoggin County	02/23/93	20 years	Stone & Webster infrastructure
Lewiston Androscoggin County	06/03/93	15 years	Lewiston Raceways Development; road/utilities
Lisbon Androscoggin County	01/24/94	20 years	Dingley Press: expansion; equipment

Standish Cumberland County	01/24/94**	20 years	Cargill Park: boat ramp, City park
North Berwick York County	03/14/94	20 years	Hussey Seating: expansion and equipment
North Berwick York County	03/14/94	20 years	Pratt & Whitney: equipment purchase
Pittsfield Somerset County	03/30/94; amended 09/14/95	12 years	E.G. Morse Building: acquisition, rehabilitation and lease of building
Portland Cumberland County	03/30/94	20 years	Nichols-Portland: building and equipment
South Portland Cumberland County	03/30/94; amended 11/06/95	10 years	National Semiconductor: expansion and capital equipment; municipal sewer
Sanford York County	03/30/94	10 years	Global Zero: plant expansion
Houlton Aroostook County	05/11/94	11 years	Smith & Wesson: plant expansion
Houlton Aroostook County	05/11/94	10 years	Smith & Wesson: equipment purchase
Bangor Penobscot County	07/11/94	20 years	B.I.A./General Electric Tif
Portland Cumberland County	08/02/94	11 years	Longfellow, Inc.
Portland Cumberland County	08/31/94	15 years	UNUM: building expansion
Bangor Penobscot County	11/21/94	10 years	B.I.A./General Electric STIF
Windham Cumberland County	12/29/94	5 years	Wal-Mart/Shaw's complex: funding of extensive groundwater studies in the district
Sanford York County	12/29/94	15 years	Millrock Corp.: expansion Tif and STIF
Bangor Penobscot County	02/28/95	20 years	Development of Waterworks site
Guilford Piscataquis County	02/28/95; amended 10/25/95	20 years	Guilford of Maine, Inc.: building construction; M&E
Brunswick Cumberland County	03/15/95	20 years	Building construction for Brunswick Technologies
Rockland Knox County	03/23/95	15 years	Van Baalen: warehouse expansion
Westbrook Cumberland County	04/25/95	15 years	Acadia Insurance Company and Glassworld: building and equipment
Madison Somerset County	05/10/95	5 years	Madison Paper Industries: building expansion and grinder purchase
Biddeford York County	06/22/95	20 years	Biddeford Industrial Park; expansion of Volk Packaging and other businesses
Lewiston Androscoggin County	06/30/95	15 years	Montello Heights Adult Living Complex $750,000 Bond issue
Bangor Penobscot County	06/30/95	20 years	Main Street Development District: construction of Shaw's supermarket and related redevelopment costs
Portland Cumberland County	08/08/95	15 years	Auto Europe: renovation of Galt Block on Commercial Street
Winslow Kennebec County 3 districts	09/13/95	20 years	Scott Paper Co.; $47M upgrade of recycled fiber facility, paper machine and tissue converting equipment
Biddeford York County	10/24/95	20 years	Airport Industrial Park – Atlantic Precision Products, CEA. 75% CAV
Biddeford York County	10/24/95	20 years	Airport Industrial Park – Soleras Ltd. CEA. 75% CAV years 1-20, 50% CAV years 11-20
Jay Franklin County 17 Districts	10/30/95	20 years	International Paper; $304 M paper machine upgrade
South Portland Cumberland County	11/20/95	15 years	National Semiconductor, $986 M plant expansion and equipment acquisition over 15 year period
Westbrook Cumberland County	01/17/96	20 years	Lanco Assembly Systems: building expansion
Westbrook Cumberland County	01/17/96	20 years	Jordan's Meats: warehouse expansion

Sanford York County	02/27/96	15 years	Rainbow Rugs: building expansion and equipment acquisition; 95% CAV years 1-5; 90% CAV years 6-10; 85% CAV years 11 – 15
Brewer Penobscot County	03/29/96	5 years	CMJ, Inc., CEA ; 100% CAV Years 1-4; 29% CAV Year 5
Brewer Penobscot County	03/29/96	20 years	Brewer Automotive Components: plant expansion; equipment acquisition
Jay Androscoggin County	03/29/96	20 years	Otis Specialty Papers
Livermore Falls Androscoggin County	03/29/96	20 years	Otis Specialty Papers
Mars Hill Aroostook County	03/23/96	15 years	Fresh Way, Inc.;l 100% CAV
Topsham Sagadahoc County	06/26/96	20 years	Brunswick-Topsham Bypass/Highland CEA; 60% CAV. Max. estimated increase in assessed value;: $13,400,000 (beginning year 5)
Winslow Kennebec County	10/04/96	20 years	Crowe Rope Industries acquisition of site and expansion. 100% CAV, allocated first to debt service, with an y remainder to Crowe under CEA. Max. CAV: $9,000,000
Waterville Kennebec County	10/23/96	20 years	DownCity redevelopment Project. CEA to assist owners renovate/improve retail properties. CAV: 75% years 1-5; 50% years 6-20. Max. estimated increased assessed value: $5,260,000 (years 3-20)
South Portland Cumberland County	01/27/97	15 years	Cummings Road Business Park; 50% CAV
Town of Cumberland Cumberland County	03/30/97	20 years	Town of Cumberland
Lewiston Androscoggin County	03/30/97	15 years	Promenade Mall
Portland Cumberland County	03/30/97	20 years	Bramhall Partners/Holt Hall
Clinton Kennebec County	03/31/97	15 years	Cooper-Weymouth
Fairfield Somerset County	03/31/97	10 years	M&M Associates
Brewer Penobscot County	03/31/97	20 years	Lemforder Corp.
Brewer Penobscot County	03/31/97	5 years	Bouchard Sports Complex
Westbrook Cumberland County	03/31/97	20 years	D&G Machine
Bucksport Hancock County	03/31/97	20 years	Champion International
Gorham Cumberland County	03/31/97	15 years	Gorham Industrial Park
Unity Waldo County	03/31/97	15 years	Unity Downtown
Gray Cumberland County	04/04/97	20 years	Northbrook
Bridgton Cumberland County	05/29/97	20 years	Stagecoach, Inc.
Bath Sagadahoc County	06/02/97	25 years	Bath Iron Works
Saco York County	06/02/97	20 years	First Light Technology
Ellsworth Penobscot County	07/21/97	10 years	Display Concepts

Pittsfield Somerset County	12/05/97	20 years	Pittsfield Woolen Yarns
Pittsfield Somerset County	12/05/97	15 years	Land Air Express
Rumford Oxford County	12/17/97	25 years	Maine Power Associates
Gray Cumberland County	02/18/98	20 years	Route 100
Madison Somerset County	02/19/98	10 years	Specialty Minerals (D2)
Madison Somerset County	02/19/98	10 years	MPI-Roll Wrapper (D3)
Madison Somerset County	02/19/98	10 years	Business Park (D4)
Veazie Penobscot County	03/27/98	21 years	Casco Bay Energy
Auburn Androscoggin County	03/27/98	21 years	Tambrands
Westbrook Cumberland County	03/27/98	15 years	JE Goold & Co.
Bradford Penobscot County	03/27/98	20 years	LaGrange Road
Casco Cumberland County	03/28/98/	10 years	Pipeline
Woodland Washington County	05/15/98	20 years	Georgia-Pacific
Ellsworth Hancock County	07/02/98	15 years	Hinckley Company
Topsham Sagadahoc County	07/22/98	20 years	Village Candle
Farmington Franklin County	07/25/98	15 years	Franklin Printing
Falmouth Cumberland County	07/29/98	25 years	West Falmouth Crossing
Bangor Penobscot County	08/03/98	20 years	Hammond Street Courtyard
Portland Cumberland County	08/03/98	15 years	Unum Life Ins. Co.
Saco York County	08/03/98	10 years	Transparent Audio
South Portland Cumberland County	09/09/98	10 years	Durastone
Old Town Penobscot County	09/10/98	15 years	Old Town Canoe
Mechanic Falls Androscoggin County	09/23/98	15 years	NE Public Warehouse
Portage Lake	10/19/98	20 years	Maine Woods Co.

Aroostook County			
Saco York County	01/15/99	10 years	Saco Plaza
Topsham Sagadahoc County	02/11/99	28 years	Bowdoin Mill
Lewiston Androscoggin County	03/31/99	9 years	Penmor Lithographers
Freeport Cumberland County	03/31/99	12 years	First Atlantic
Easton Aroostook County	06/28/99	10 years	McCain Foods
Old Town Penobscot County	06/29/99	15 years	The Riverfront Project
Fort Fairfield Aroostook County	06/29/99	5 years	Atlantic Custom Processors
Rockland Knox County	07/26/99	5 years	Fisher Snowplows
Freeport Cumberland County	08/09/99	10 years	Destination Freeport
Topsham Sagadahoc County	08/09/99	28 years	Bypass North
Auburn Androscoggin County	12/03/99	15 years	American Falcom
Brunswick Cumberland County	12/03/99	5 years	EnvisioNet
Weston Aroostook County	12/03/99	5 years	First Settler's Lodge
Hollis York County	12/23/99	25 years	Poland Spring
Lewiston Aroostook County	03/16/00	10 years	Butler Brothers
Lewiston Aroostook County	03/16/00	12 years	Diamond Phoenix
Fort Kent Aroostook County	03/16/00	18 years	East Main Street
Madison Somerset County	03/16/00	10 years	MPI (D5)
Oxford Oxford County	03/16/00	12 years	Route 26
Boothbay Lincoln County	03/20/00	20 years	Hodgdon Marine
Milo Piscataquis County	03/21/00	15 years	Bangor and Aroostook
Richmond Sagadahoc County	03/27/00	20 years	Pipeline/Compressor Station
Fairfield Somerset County	03/30/00	20 years	Chinet Company
Woodland	03/31/00	20 years	Maritimes & Northeast

Washington County			
Falmouth Cumberland County	03/31/00	20 years	Route One North
Falmouth Cumberland County	03/31/00	20 years	Route One South
Otisfield Oxford County	03/31/00	20 years	Natural Gas
Poland Androscoggin County	03/31/00	25 years	Poland Spring Bottling – 1
Poland Androscoggin County	03/31/00	25 years	Poland Spring Bottling – II
Rockport Knox County	03/31/00	20 years	Commercial Street
Windham Cumberland County	03/31/00	10 years	Pipeline

[To be completed upon receipt of information from DECD]

EXHIBIT F

Certificate of City Assessor
City of Auburn, Maine

The undersigned City Assessor for the City of Auburn, Maine does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5254 that the assessed value of the Tambrands Municipal Development Tax Increment Financing District, as described in the Development Program to which this Certificate is included, was $520,900 as of March 31, 2000.

IN WITNESS WHEREOF, this Certificate has been executed as of this 6th day of November, 2000.

CITY ASSESSOR

Joseph F. Downey

EXHIBIT G

Tax Increment Financing Tax Shift Formulas

A tax increment financing district will result in certain tax shifts which result because the retained captured assessed value of the District will be excluded from the State Valuation of the property in the City. These tax shifts are noted in three basis formulae which use local property tax valuation as a basis for calculation. These three formulas are: (1) State Aid to Education; (2) Municipal Share of County Taxes; and (3) Revenue Sharing to the extent applicable. The following is the process used to derive each of these tax shifts.

Education Tax Shift: Computed by comparing State Department of Education Form ED 261 for the City with and without retained CAV, but not taking into account the hold harmless or hardship cushion that restores in additional State aid to education to the prior years level even through the calculation would have resulted in a reduction.

County Tax Shift: In order to compute this shift, we first obtained the most recent County State Valuation from the State Bureau of Taxation. We then determined the average Captured Assessed Value for the District over the life of the District. We then determined the City's current share of the County Tax by dividing the current City Valuation by the Current County Valuation. We then determined what the City's Share of the County Tax would be if the new value from the District were added by the City's Valuation without the creation of the District by dividing the sum of the current City Valuation plus the average new value by the sum of the current County Valuation plus the average new value. The difference is the factor representing the percentage of the County Tax Shift. Next, we determined the estimated average annual county tax over the life of the District. To arrive at this number, the average change in County Tax for the last five years was determined and the percentage increase projected to the middle of the district's life. This projected tax was then multiplied by the factor developed above to determine the County Tax Shift.

Revenue Sharing Shifts: The first step in determining the Revenue Sharing Tax Shifts was to obtain the total Municipal Revenue Sharing Amount from the State Treasurer. The five steps outlined in the following formula were then applied:

Step One: $\frac{\text{Municipal Population X Local Property Tax Levied}}{\text{State Local Valuation}} = \text{Current Factor}$

Step Two: $\frac{\text{Municipal Population X Local Property Tax Levied}}{\text{State Local Valuation + Captured Assessed Value}} = \text{Adjusted Factor}$

Step Three: $\frac{\text{Current Factor}}{\text{Adjusted Factor}} = 1.X$

Step Four: $1.X - 1.0 = .X$

Step Five: .X (Total Municipal Revenue Sharing Amount) = Revenue Sharing Shift
The relevant computations are attached.

EXHIBIT G

County Tax Shift

$4,056,250,000 County Valuation
$11,796,633 Average Retained CAV

County Tax 2000	$5,077,111	5.54%
1999	$4,810,607	5.90 %
1998	$4,542,675	(2.02)%
1997	$4,636,447	1.12 %
1996	$4,584,980	

Average Increase: 2.64%

Midpoint Increase - 15 years $7,505,269.79
City Valuation = $1,058,900,000
Average CAV = $11,796,633
Projected County Tax = $7,505,269.79
Projected City Share (w/o CAV) = 26.11%
Projected City Share (w/CAV) = 26.32%.
Difference (w/CAV) = 0.21% x 7,505,269.79 =
Average Annual County Tax Shift = $15,761.07/year

x 30 years
$472,832.10

Educational Aid Tax Shift

From ED261	Current Local Allocation	Revised ED261 if $11,796,633 in unsheltered Valuation were added
Operating Costs (Line 30):	$8,137,802.79	$8,212,782.55
Program Costs (Line 39):	$1,376,155.00	$1,391,608.59
Debt Service (Line 47):	$ 378,980.44	$ 383,273.23
	$9,892,938.23	$9,987,664.37

Estimated Local Allocation of Costs
if Valuation added without TIF: $9,987,664.37
Current Local Allocation: -$9,892,938.23
$ 94,726.14
30 years
$ 2,841,784.20

EXHIBIT G

Revenue Sharing Tax Shifts

Population = 22,230
Total local tax levied = $ 28,040,925
State Valuation = $ 1,058,900,000
Average CAV = $11,796,633
Revenue Sharing Amount =$ 2,754,245.25

Step One: $\frac{22,230 \times 28,040,925}{1,058,900,000} = 588.6767$ (Current Factor)

Step Two: $\frac{22,230 \times 28,040,925}{1,058,900,000 + 11,796,633} = 582.1908$ (Adjusted Factor)

Step Three: $\frac{588.6767}{582.1908} = 1.011140505$

Step Four: 1.011140505 - 1.00 = 0.011140505

Step Five:

0.011140505 x $2,754,245.25= $30,683.68/year or $920,510.40 over 30 years

EXHIBIT H

CITY OF AUBURN
PUBLIC NOTICE

Notice is hereby given that the City of Auburn, Maine will hold a public hearing on November 6, 2000 at 7:00 p.m. at the City Council Chambers in the Auburn City Building for purposes of receiving public comments on the designation of its proposed Mall Area Municipal Development and Tax Increment Financing District and the adoption of a development program for the said Municipal Development and Tax Increment Financing District, pursuant to the provisions of Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed Municipal Development and Tax Increment Financing District consists of certain property consisting of 84 acres located off of Kittyhawk Avenue, Hotel Road and by the Saint Lawrence and Atlantic Railroad Tracks in Auburn, Maine.

A copy of the proposed development program for the district will be on file with the City Clerk and may reviewed at the offices of the City Clerk during normal business hours.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Published - Lewiston Sun Journal Monday, October 23, 2000

BOSTON PROPER-	BXP	$115.58	-0.95	Obsidian Energy Ltd.	OBE	$7.07	-0.19
BOSTON SCIENTIF-	BSX	$43.75	-1.00	OCCIDENTAL	OXY	$40.67	+0.37
BP P.L.C.	BP	$33.06	+0.07	Olin Corporation	OLN	$52.71	-0.62
Brighthouse Finan-	BHF	$60.13	+0.69	OMEGA HEALTH-	OHI	$28.42	-0.11
BRISTOL-MYERS	BMY	$66.51	-0.63	ON SEMICONDUC-	ON	$63.42	-3.66
BROADRIDGE	BR	$146.45	-4.41	ONEOK, INC.	OKE	$63.02	-0.62
CALADRIUS BIO-	CLBS	$0.78	-0.01	ORACLE CORPO-	ORCL	$81.85	-1.60
CALLON PETRO-	CPE	$52.11	+0.15	PACCAR INC	PCAR	$92.99	-1.69
CALUMET SPE-	CLMT	$15.96	+0.43	PAYCHEX, INC.	PAYX	$120.37	-3.75
CAMDEN NATION-	CAC	$48.71	+0.02	PENN NATIONAL	PENN	$50.13	-0.68
CAMDEN PROPER-	CPT	$164.16	-3.68	PEPSICO, INC.	PEP	$168.37	-3.57
CANADIAN NATU-	CNQ	$51.64	+0.31	Brazilian Petroleum	PBR	$13.60	+0.18
CAPRAL LIMITED	CAA	$9.09	+0.09	PFIZER INC.	PFE	$50.59	-0.88
CARDINAL HEALTH,	CAH	$52.81	-1.16	Philip Morris Interna-	PM	$105.06	+0.96
THE CARLYLE	CG	$49.34	-1.30	PHILLIPS 66	PSX	$89.46	+0.01
CATERPILLAR INC.	CAT	$203.09	-0.51	PINNACLE WEST	PNW	$68.69	-2.22
CEDAR FAIR UNT	FUN	$59.90		PITNEY BOWES	PBI	$4.94	-0.16
Celgene Corp	CELG*	$2,099.33	+5.23	THE PNC FINAN-	PNC	$210.63	-0.13
CEMEX PUBLICLY	CX	$5.59	-0.49	Polaris Inc.	PII	$119.43	-1.06
Cenovus Energy Inc.	CVE	$15.32	+0.26	POTLATCHDELTIC	PCH	$55.02	-1.36
CENTRUS ENERGY	LEU	$44.86	-1.91	PPG INDUSTRIES,	PPG	$153.81	-3.18
LUMEN TECHNOL-	LUMN	$10.82	-2.00	PPL CORPORATION	PPL	$28.80	-0.73
CHENIERE ENER-	LNG	$115.84	-0.11	PRINCIPAL FINAN-	PFG	$78.59	-0.36
CHESAPEAKE	#FIELD!	$3.05	+0.05	Principal Global	PGBAX	$13.53	+0.05
CHEVRON CORPO-	CVX	$136.04	-1.75	THE PROCTER &	PG	$157.14	-2.46
CHIMERA INVEST-	CIM	$13.31	-0.29	PRUDENTIAL FI-	PRU	$121.38	+0.19
China Mobile	CHL	$27.68	+1.63	PUBLIC SERVICE	PEG	$65.85	-1.58
Chubb Ltd	CB	$208.60	-0.36	PUDO INC.	PDO	$0.80	+0.02
CIGNA CORPO-	CI	$230.27	-2.11	PVH CORP.	PVH	$102.16	-0.92
CISCO SYSTEMS,	CSCO	$54.87	-1.42	QORVO, INC.	QRVO	$133.74	-2.98
CITIGROUP INC.	C	$67.48	-0.36	QUALCOMM IN-	QCOM	$174.07	-9.88
THE CLOROX COM-	CLX	$141.38	-1.45	RAYONIER INC.	RYN	$37.77	-0.98
THE COCA-COLA	KO	$61.37	+0.33	Raytheon Co	RTN	$86.96	-5.47
COEUR MINING,	CDE	$4.80	-0.04	RAYTHEON TECH-	RTX	$95.06	-0.94
COGNEX CORPO-	CGNX	$65.07	-2.11	Real Time Fi em Di-		$516.84	+0.44
COLGATE-PAL-	CL	$79.72	-1.15	REALTY INCOME	O	$67.22	-1.34
COMCAST CORPO-	CMCSA	$48.92	-0.85	RELIV' INTERNA-	RELV	$4.63	
CONAGRA	CAG	$34.92	-0.27	RITE AID CORPO-	RAD	$10.55	-0.57
CONOCOPHILLIPS	COP	$91.88	-1.07	ROCKWELL AUTO-	ROK	$277.33	-9.10
CONSOLIDATED	ED	$84.03	-2.35	RPM INTERNA-	RPM	$86.19	-0.94
CONSOLIDATED	CWCO	$9.82	-0.18	Schlumberger N.V.	SLB	$39.17	-0.23
Core Laborato-	CLB	$25.98	+0.03	Seadrill Limited.	SDRLF	$0.14	-0.01
CORNING INCOR-	GLW	$42.49	-0.46	SEAGATE TECH-	STX	$110.08	-2.00
Cracker Barrel Old	CBRL	$125.83	-1.62	SEARS HOLDINGS	SHLDQ	$0.02	-0.00
CSI COMPRESSCO	CCLP	$1.40	-0.01	SEQUENTIAL	SQBGQ	$0.00	+0.00
CSX Corporation	CSX	$33.99	-0.75	THE SHERWIN-WIL-	SHW	$279.93	-6.69
CTI BIOPHARMA	CTIC	$2.07		SIMON PROPERTY	SPG	$143.98	+0.89
CUMMINS INC.	CMI	$223.22	-2.28	Sino-German Unit-	SGU	$0.62	-0.02
CVR ENERGY, INC.	CVI	$20.86	-0.33	SIRIUS XM HOLD-	SIRI	$6.33	-0.26
CVR PARTNERS	UAN	$101.20	-0.40	Smartshares US	USG	$8.29	-0.18
CVS HEALTH COR-	CVS	$105.32	+0.53	SNAP-ON INCOR-	SNA	$211.67	-3.06
D.R. HORTON, INC.	DHI	$85.03	-3.72	THE SOUTHERN	SO	$65.94	-2.14
Mercedes-Benz	DDAIF.	$78.95	-1.96	SOUTHERN	SCCO	$67.20	-0.62
HeliosX Lithium &	HX	$0.82	+0.01	Sprint Corp	S	$8.62	+0.18
DEERE & COMPANY	DE	$393.13	-2.27	THE ST. JOE COM-	JOE	$48.26	-0.98
DELUXE CORPO-	DLX	$29.86	-0.24	STANLEY BLACK &	SWK	$164.64	-4.34
DEVON ENERGY	DVN	$52.21	+0.09	STARBUCKS COR-	SBUX	$95.31	-1.33
DIEBOLD NIXDORF,	DBD	$7.96	-0.57	STATE STREET	STT	$101.39	-0.28
DIGITAL REALTY	DLR	$140.21	-6.71	STEEL DYNAMICS,	STLD	$61.34	-1.21
Aduro Clean Tech-	ACT	$0.73	-0.04	STRYKER CORPO-	SYK	$255.44	-4.78
DISCOVER FINAN-	DFS	$124.76	-0.09	STURM, RUGER &	RGR	$67.09	-0.47
DOLLAR TREE, INC.	DLTR	$137.93	-3.67	SUBURBAN PRO-	SPH	$14.82	-0.14
Dominion Energy,	D	$78.23	-2.09	SUNCOR ENERGY	SU	$28.85	-0.04
Dow Inc.	DOW	$60.92	-1.07	SUNWIN STEVIA	SUWN	$0.03	
DUKE ENERGY	DUK	$99.80	-4.91	SYSCO CORPO-	SYY	$82.94	+1.55
DUKE REALTY	DRE	$55.95	-2.59	Taiwan Semicon-	TSM	$124.71	-0.81
DuPont de Ne-	DD	$80.33	-1.16				

posed revision.

The 2016 guidance suc-

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Regarding

An Amendment to the Municipal Development and Tax Increment Financing District known as:

"#6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Auburn will hold a public hearing on February 22, 2022

at 60 Court Street Auburn , ME 04210

The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the amendment to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the "District") and the adoption of the amendment to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed amendment involves an amendment to the existing Credit Enhancement Agreement with Tambrands, Inc. regarding a proposed new capital project.

A copy of the proposed Development Program Amendment materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at https://www.auburnmaine.gov/or one can call 207-333-6601 during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at sdaillaire@auburnmaine.gov. Written comments will be accepted until 4:00PM on February 22, 2022.

tariff if it made it all the way to the U.S.

"And it was not all just white birch dowels,"

mission on Monday to us cuss this issue. The offices have also been in contact with federal agencies, in-

years, we probably lost,

Twitter: @emilykbader

ebader@sunjournal.com

Emily Bader — 207-780-9103

PURSUANT TO 10 M/R/S/A/Sect. 1371 et. Seq., goods/household goods in the following units shall be sold at auction at Easy Self Storage, 10 River Rd Lewiston, ME 04240 on February 12, 2022 at 10:00am

Units: SC35, B9, C57, D3, D39, 121/2CC and 131CC

CITY OF LEWISTON
PUBLIC NOTICE

A hearing on the following liquor license applications will be held by the Lewiston City Council in the Council Chambers, City Hall on Tuesday, February 15, 2022, at 7:00 p.m., or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said applications.

Saigon Pho
791 Lisbon Street
Owner – Bella Dang, LLC

South of the Border
997 Sabattus Street
Owner – Michael Davis

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered August 18, 2021 in the action entitled U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS COLLATERAL TRUST TRUSTEE OF FIRSTKEY MASTER FUNDING 2021- A COLLATERAL TRUST v. Robert W. Hall Jr., Personal Representative of the Estate of Robert W. Hall Sr. and Thereasa Pietrowicz, Personal Representative of the Estate of Robert W. Hall Sr, by the Lewiston District Court, Docket No. RE-20-37, wherein the Court adjudged the foreclosure of a mortgage granted by Robert W. Hall Sr., and Phyllis J. Hall., to GreenPoint Credit Corp. dated October 26, 1998 and recorded in the Androscoggin County Registry of Deeds

2. Haaz and Associates, on behalf of Mill 7 Development Co., LLC has submitted a development review and amended subdivision plan for lots 4 and 5 of the Bates Mill Complex Commercial Subdivision Plan to create lots 4a and 4b, and lots 5, 5a, and 5b.

Maps and data are available in Planning & Code Enforcement on the third floor of City Hall between 8:30 a.m. and 4:00 p.m., Monday through Friday. Written comments may be submitted to the Planning & Code Enforcement Department on or before the hearing date, and comments will be accepted at the hearing. The City of Lewiston is an EOE. For more information please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

NOTICE OF PUBLIC SALE
OF REAL ESTATE

Property located at 1 Micmar Lane, Lisbon Falls, Maine 04252

Mortgage recorded in the Androscoggin County Registry of Deeds at Book 5859, Page 236.

By virtue of and in execution of an Order and Judgment of Foreclosure and Sale entered in the Androscoggin County Superior Court on March 12, 2020, in Civil Action, Docket No. RE-2019-17, brought by TD Bank, N.A. f/k/a Banknorth, N.A. as Plaintiff against Defendant, Michael E. Russell for the foreclosure of the mortgage recorded as set forth above, the ninety (90) day period of redemption having expired without redemption, and the deadline to publish the notice of sale having been extended on 11/15/2021, notice is hereby given that there will be sold at public sale at **two o'clock P.M. on the 14th day of the month of March, 2022** at the offices of Duane Morris LLP, 2 Monument Square, Suite 505, Portland, ME 04101-4079, for the premises described in said mortgage, situated at 1 Micmar Lane, in the Town of Lisbon Falls, County of Androscoggin, and State of Maine. Please refer to said mortgage deed recorded in said Registry of Deeds for a more particular description of the premises. There will be no open house.

places where they can find them, Kemp said. Most, if not all, of the other manufacturers he's spoken to

Newry, Maine.

Record Owner
Unit - Use Period
Deed Reference*

Scott R. Axelson
402 Park Street
Jamestown, NY 14701
Unit 329, Use Period I
Book 4361, Page 6

Justin H. Clark, Trustee of
The Clark Living Trust
30 Sunny Acres Lane
Boothbay, ME 04537
Unit 243, Use Period III
Book 5497, Page 790

Susan Diamantopolous
Chad Diamantopolous
20 Laurel Street
Milford, NH 03055
Unit 146, Use Period II
Book 5268, Page 585

Kristine M. Fairbanks
John C. DuBeau
95 South Street
Mansfield, MA 02048
Unit 157, Use Period I
Book 2979, Page 242

Patricia Gately
12 Dana Lane
Wareham, MA 02538
Unit 109, Use Period III
Book 5297, Page 551

Ronald F. Hellen
108 Victoria Lane
Marlborough, MA 01572
Unit 157, Use Period IV
Book 5624, Page 464

Danielle Hornsby
Michael Hornsby
228 Post Road
North Hampton, NH 03862
Unit 337, Use Period I

ORDER 30-02222022

City Council Order

City Council Order

Amending the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

WHEREAS, the City desires to adopt the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

WHEREAS, the City Council has held a public hearing on February 21, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Original Development Program and Credit Enhancement Agreement in accordance with the requirements of 30-A M.R.S.A. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the adoption of the First Amendment, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the First Amendment; and

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

Section 1. The proposed First Amendment will contribute to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City. Pursuant to Title 30-A M.R.S.A. Section 5226(5), this First Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which include the percentage of area the District that is suitable for commercial use or other allowable uses, the acreage caps for single TIF districts and for all TIF districts in the City, and the total TIF district valuation cap. The City Council has considered any evidence presented regarding potential substantial detriments to a party's existing business and determined that any adverse economic

City Council Order

effect of the proposed First Amendment on a party's existing business is outweighed by the contribution made by the First Amendment to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby amends the Tambrands II Municipal Development Tax Increment Financing Development Program and adopts the First Amendment, all as more particularly described in the First Amendment presented to the City Council herewith. Such First Amendment is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed First Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2). In addition, the City Manager, or his duly appointed representative is hereby authorized, empowered, and directed to execute the amended Credit Enhancement Agreement on terms that are consistent with the First Amendment.

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

Section 5. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the First Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the First Amendment.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022 **Ordinance:** 07-02222022

Author: Phil Crowell, City Manager

Subject: Public Safety, Detention, and Correctional Facility Moratorium

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Information: The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

Staff is proposing the city council declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist.

City Budgetary Impacts: None

Staff Recommended Action: Adopt the moratorium

Previous Meetings and History: NA

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Moratorium

ORDINANCE 07-02222022

City Council Ordinance

CITY OF AUBURN

PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE

THE CITY OF AUBURN adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

WHEREAS, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

WHEREAS, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

WHEREAS, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

WHEREAS, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

WHEREAS, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

WHEREAS, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safely Facilities, Detention

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

Facilities and Correctional Facilities;

WHEREAS, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

WHEREAS, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

WHEREAS, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health. land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the

City Council Ordinance

Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

BE IT FURTHER ORDAINED, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 3. Definitions.

Correctional Facility means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

City means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Detention Facility means a facility in which persons are held and housed in custody under process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

City Council Ordinance

Public Safety Facility means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

Section 4. Effective Date; Emergency Declaration

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

Proposed: February 22, 2022
Approved: _____

City of Auburn, Maine
"Maine's City of Opportunity"
Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **January 2022 Financial Report**

DATE: **February 7, 2022**

The following is a discussion regarding the significant variances found in the City's January financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 58.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through January 31st, including the school department were $57,008,701 or 59.73%, of the budget. The municipal revenues including property taxes were $38,628,892, or 59.29% of the budget which is less than the same period last year by 0.12%. The accounts listed below are noteworthy.

A. The current year tax revenue is at 57.84% as compared to 58.17% last year. This is a $59,433 increase over last year. The second payment is due March 15th.

B. Excise tax for the month of January is at 59.05%. This is a decrease of $260,546 over FY 21. Our excise revenues for FY22 are 0.75% above projections as of January 31, 2022.

C. State Revenue Sharing at the end of January is 98.56% or $3,104,618. This is an increase of $1,011,942 over last January.

Expenditures

City expenditures through January 2022 were $31,450,440, or 66.77%, of the budget. This is a decrease of 0.02% less than the same period last year. The percentage of expenditures is lower, but dollars are higher due to the higher budget. Noteworthy variances are:

A. Administration is higher than last year by 2.52%. The major increases are Communications & Technology and Human Resources budgets being higher than last year.

B. Public Safety is higher due to both Police and Fire/EMS are higher.

C. Public Works is higher due to Winter Storm operations and overtime.

Investments

This section contains an investment schedule as of January 31st. Currently the City's funds are earning an average interest rate of 0.15% compared to .58% in 2021.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of January 2022, December 2021, and June 2021

	January 31 2022	December 31 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 20,392,763	$ 22,235,704	$ (1,842,941)	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,165,145	1,196,474	(31,329)	1,895,710
TAXES RECEIVABLE-CURRENT	21,084,942	21,795,718	(710,776)	55,238
DELINQUENT TAXES	405,055	401,870	3,185	809,349
TAX LIENS	609,838	747,604	(137,766)	1,091,138
NET DUE TO/FROM OTHER FUNDS	2,495,595	927,093	1,568,502	-
TOTAL ASSETS	**$ 46,153,338**	**$ 47,304,463**	**$ (1,151,125)**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (2,266)	$ (1,897)	$ (369)	$ (985,754)
PAYROLL LIABILITIES	1,609,155	1,933,735	(324,580)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(45,274)	(34,982)	(10,292)	-
ESCROWED AMOUNTS	(141,194)	(29,183)	(112,011)	(27,653)
DEFERRED REVENUE	(21,925,101)	(22,770,564)	845,463	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (20,504,771)**	**$ (20,902,982)**	**$ 398,211**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (22,850,931)	$ (23,603,845)	$ 752,914	$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
TOTAL FUND BALANCE	**$ (25,648,567)**	**$ (26,401,481)**	**$ 752,914**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (46,153,338)**	**$ (47,304,463)**	**$ 1,151,125**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH January 31, 2022 VS January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU Jan 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 28,945,366	57.84%	$ 49,655,498	$ 28,885,933	58.17%	$ 59,433
PRIOR YEAR TAX REVENUE	$ -	$ 475,800		$ -	$ 481,767		$ (5,967)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 2,612,890	59.05%	$ 4,112,861	$ 2,873,436	69.86%	$ (260,546)
PENALTIES & INTEREST	$ 120,000	$ 62,130	51.78%	$ 150,000	$ 67,866	45.24%	$ (5,736)
TOTAL TAXES	$ 56,237,450	$ 33,386,235	59.37%	$ 55,338,359	$ 33,714,542	60.92%	$ (328,307)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 173,417	104.47%	$ 166,000	$ 139,609	84.10%	$ 33,808
NON-BUSINESS	$ 300,200	$ 214,588	71.48%	$ 392,400	$ 239,821	61.12%	$ (25,233)
TOTAL LICENSES	$ 466,200	$ 388,005	83.23%	$ 558,400	$ 379,430	67.95%	$ 8,575
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 3,104,618	98.56%	$ 2,708,312	$ 2,092,676	77.27%	$ 1,011,942
WELFARE REIMBURSEMENT	$ 90,656	$ 25,852	28.52%	$ 90,656	$ 21,704	23.94%	$ 4,148
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 10,269	32.09%	$ 5,494
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 3,567,825	91.69%	$ 3,459,352	$ 2,545,502	73.58%	$ 1,022,323
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 105,324	57.12%	$ 198,440	$ 88,673	44.69%	$ 16,651
PUBLIC SAFETY	$ 176,600	$ 82,574	46.76%	$ 181,600	$ 80,280	44.21%	$ 2,294
EMS TRANSPORT	$ 1,250,000	$ 841,078	67.29%	$ 1,200,000	$ 668,864	55.74%	$ 172,214
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,028,975	63.87%	$ 1,580,040	$ 837,817	53.03%	$ 191,158
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 25,750	62.05%	$ 55,000	$ 15,455	28.10%	$ 10,295
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 13,268	33.17%	$ 80,000	$ 32,095	40.12%	$ (18,827)
RENTS	$ 125,000	$ 7,839	6.27%	$ 35,000	$ 28,632	81.81%	$ (20,793)
UNCLASSIFIED	$ 20,000	$ 25,150	125.75%	$ 10,000	$ 134,101	1341.01%	$ (108,951)
COMMERCIAL SOLID WASTE FEES	$ -	$ 37,877		$ -	$ 37,667		$ 210
SALE OF PROPERTY	$ 120,000	$ 2,936	2.45%	$ 25,000	$ 70,147	280.59%	$ (67,211)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 135,398	57.86%	$ 230,000	$ 115,750	50.33%	$ 19,648
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 9,634	48.17%	$ 20,000	$ 8,877	44.39%	$ 757
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 232,102	8.00%	$ 2,838,673	$ 427,269	15.05%	$ (195,167)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 38,628,892**	59.29%	**$ 63,829,824**	**$ 37,920,015**	59.41%	**$ 708,877**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 17,894,242	61.92%	$ 26,217,074	$ 15,618,568	59.57%	$ 2,275,674
EDUCATION	$ 518,821	$ 471,335	90.85%	$ 717,415	$ 259,073	36.11%	$ 212,262
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ 14,232	1.62%	$ 970,862	$ -	0.00%	$ 14,232
TOTAL SCHOOL	$ 30,298,286	$ 18,379,809	60.66%	$ 27,905,351	$ 15,877,641	56.90%	$ 2,502,168
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 57,008,701**	**59.73%**	**$ 91,735,175**	**$ 53,797,656**	**58.64%**	**$ 3,211,045**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH January 31, 2022 VS January 31, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU Jan 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 80,660	76.93%	$ 99,000	$ 55,935	56.50%	$ 24,725
CITY MANAGER	$ 447,401	$ 320,034	71.53%	$ 776,095	$ 383,300	49.39%	$ (63,266)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 643,028	70.54%	$ 609,260	$ 517,262	84.90%	$ 125,766
CITY CLERK	$ 237,474	$ 135,130	56.90%	$ 216,946	$ 122,620	56.52%	$ 12,510
FINANCIAL SERVICES	$ 810,303	$ 440,050	54.31%	$ 751,849	$ 428,102	56.94%	$ 11,948
HUMAN RESOURCES	$ 220,250	$ 117,957	53.56%	$ 157,057	$ 86,559	55.11%	$ 31,398
TOTAL ADMINISTRATION	$ 2,731,915	$ 1,736,859	63.58%	$ 2,610,207	$ 1,593,778	61.06%	$ 143,081
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 449,636	49.93%	$ 1,339,047	$ 559,082	41.75%	$ (109,446)
ECONOMIC DEVELOPMENT	$ 108,469	$ 59,978	55.30%				$ 59,978
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 160,303	31.29%				$ 160,303
HEALTH & SOCIAL SERVICES	$ 119,875	$ 55,598	46.38%	$ 199,282	$ 72,389	36.32%	$ (16,791)
RECREATION & SPORTS TOURISM	$ 584,056	$ 335,439	57.43%	$ 520,474	$ 351,285	67.49%	$ (15,846)
PUBLIC LIBRARY	$ 1,052,163	$ 613,762	58.33%	$ 1,031,533	$ 687,689	66.67%	$ (73,927)
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 1,674,716	51.10%	$ 3,090,336	$ 1,670,445	54.05%	$ 4,271
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 6,955,516	89.93%	$ 7,577,735	$ 6,859,092	90.52%	$ 96,424
FACILITIES	$ 677,872	$ 457,614	67.51%	$ 667,494	$ 437,758	65.58%	$ 19,856
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 3,752,241	51.16%	$ 6,840,635	$ 3,723,435	54.43%	$ 28,806
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 11,807,771	70.07%	$ 16,189,004	$ 11,659,695	72.02%	$ 148,076
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 3,352,479	61.55%	$ 5,302,131	$ 3,118,696	58.82%	$ 233,783
POLICE DEPARTMENT	$ 4,343,924	$ 2,520,162	58.02%	$ 4,332,339	$ 2,450,191	56.56%	$ 69,971
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 5,872,641	59.98%	$ 9,634,470	$ 5,568,887	57.80%	$ 303,754
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 2,739,695	53.96%	$ 4,979,329	$ 2,567,678	51.57%	$ 172,017
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 497,355	45.63%	$ 1,051,318	$ 526,902	50.12%	$ (29,547)
WATER AND SEWER	$ 792,716	$ 585,902	73.91%	$ 792,716	$ 585,902	73.91%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 3,822,952	54.93%	$ 6,823,363	$ 3,680,482	53.94%	$ 142,470
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 176,115	99.50%	$ 170,000	$ 167,110	98.30%	$ 9,005
E911 COMMUNICATION CENTER	$ 1,161,479	$ 870,941	74.99%	$ 1,134,304	$ 850,916	75.02%	$ 20,025
LATC-PUBLIC TRANSIT	$ 225,000	$ -	0.00%	$ 331,138	$ -	0.00%	$ -
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,057,056	57.65%	$ 1,905,442	$ 1,028,026	53.95%	$ 29,030
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 31,450,440**	**66.77%**	**$ 45,932,563**	**$ 30,676,874**	**66.79%**	**$ 773,566**
EDUCATION DEPARTMENT	$ 48,341,366	$ 18,361,000	37.98%	$ 45,802,612	$ 20,831,516	45.48%	$ (2,470,516)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 49,811,440**	**52.19%**	**$ 91,735,175**	**$ 51,508,390**	**56.15%**	**$ (1,696,950)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF January 31, 2022

INVESTMENT		FUND	BALANCE January 31, 2022	BALANCE December 31, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,347,517.59	$ 6,344,838.15	**0.15%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,531.28	$ 1,051,084.98	**0.15%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 12,266,660.74	$ 9,487,185.88	**0.15%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,530.62	$ 52,508.32	**0.15%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,645.02	$ 339,500.87	**0.15%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,783.08	$ 226,686.84	**0.15%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,651.72	$ 62,625.14	**0.15%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 154,117.27	$ 142,357.48	**0.15%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,370.38	$ 15,363.86	**0.15%**
NOMURA		ELHS Bond Proceeds	$ 40,529,598.00	$ 48,303,196.00	**0.15%**
ANDROSCOGGIN BANK	5127	ARPA Funds	$ 6,002,958.81	$ 6,001,765.86	**0.15%**
GRAND TOTAL			**$ 67,049,364.51**	**$ 72,027,113.38**	**0.15%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	Beginning Balance 1/1/2022	January 2022 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 1/31/2022
Bluecross	**$ 19,810.94**	$ 5,044.60	$ (6,202.84)		$ (8,454.84)		**$ 10,197.86**
Intercept	**$ 100.00**	$ -	$ -				**$ 100.00**
Medicare	**$ 147,267.33**	$ 140,776.20	$ (37,467.30)		$ (99,306.23)		**$ 151,270.00**
Medicaid	**$ 59,629.53**	$ 54,005.60	$ (35,323.54)		$ (21,613.69)		**$ 56,697.90**
Other/Commercial	**$ 106,438.10**	$ 18,878.80	$ (21,105.47)		$ (11,427.52)		**$ 92,783.91**
Patient	**$ 135,191.78**	$ 11,443.60	$ (12,620.07)		$ 21,165.95	$ (30,449.11)	**$ 124,732.15**
Worker's Comp	**$ -**						**$ -**
TOTAL	**$ 468,437.68**	**$ 230,148.80**	**$ (112,719.22)**	**$ -**	**$ (119,636.33)**	**$ (30,449.11)**	**$ 435,781.82**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 65,946.47	3.20%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -	$ 1,000.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 1,219,130.83	59.14%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 434,901.30	21.10%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 236,063.69	11.45%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 97,549.85	4.73%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80	$ 6,808.00	0.33%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 2,061,400.14	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	68	2.88%
Intercept	0		4	4	1	1	0	10	0.42%
Medicare	244	172	227	174	226	186	168	1397	59.22%
Medicaid	82	54	100	64	80	48	60	488	20.69%
Other/Commercial	34	32	48	44	51	35	20	264	11.19%
Patient	45	19	12	13	15	10	11	125	5.30%
Worker's Comp	1	0	2	1	0	0	3	7	0.30%
TOTAL	416	287	406	305	385	293	267	2359	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of December 31, 2021

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 6,859.32	67%	$ -	0%	$ -	0%	$ 88.39	1%	$ 3,250.15	32%	$ 10,197.86	2.34%
Intercept	$ -		$ 100.00								$ 100.00	0.02%
Medicare	$ 83,884.00	55%	$ 18,898.27	12%	$ 13,700.20	9%	$ 8,057.20	5%	$ 26,730.33	18%	$ 151,270.00	34.71%
Medicaid	$ 22,573.23	40%	$ 29,815.56	53%	$ 1,565.97	3%	$ 1,247.03	2%	$ 1,496.11	3%	$ 56,697.90	13.01%
Other/Commercial	$ 25,761.89	28%	$ 31,396.52	34%	$ 6,866.24	7%	$ 5,728.02	6%	$ 23,031.24	25%	$ 92,783.91	21.29%
Patient	$ 35,090.15	28%	$ 20,628.21	17%	$ 27,126.21	22%	$ 27,790.74	22%	$ 14,096.84	11%	$ 124,732.15	28.62%
Worker's Comp	$ -										$ -	0.00%
TOTAL	$ 174,168.59		$ 100,838.56		$ 49,258.62		$ 42,911.38		$ 68,604.67		$ 435,781.82	
	40%		23%		11%		10%		16%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of January 31, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 44,908.78	$ 264.00	$ 482.42		$ 1,942.39	$ 245.00				$ 15,676.00	$ 157,242.00	$ 109,031.40	$ 2,851.40	$ 6,652.50	$ 2,416.38	$ 6,828.83
Expenditures FY22	$ 143,018.00	$ 39.98			$ 2,389.74	$ 730.38			$ 124.21	$ 15,676.00	$ 277,563.74	$ 125,234.49	$ 2,801.38	$ -	$ 2,379.07	$ 10,506.18
Fund Balance 1/31/2022	**$ 501,095.97**	**$ 6,760.98**	**$ 34,848.77**	**$ 1,221.68**	**$ 4,684.03**	**$ (485.38)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ 11,428.47**	**$ (128,948.57)**	**$ 7,025.16**	**$ 19,248.75**	**$ 4,356.29**	**$ (856.42)**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 1,142.33	$ 300.00	$ 252,228.73	$ 1,103.93	$ 37,542.00		$ 8,358.37			$ 9,886.13	$ 8,254.01			$ 8,000.00	$ 23.90	$ 181,778.78
Expenditures FY22	$ 1,366.04		$ 440,331.39		$ 51,094.86	$ (2,600.00)	$ 1,689.97		$ 2,351.72	$ 9,886.13	$ 2,280.00	$ 780.00		$ 7,996.88	$ 4,000.00	$ 237,246.04
Fund Balance 1/31/2022	**$ (223.71)**	**$ (8,205.29)**	**$ 1,514,859.03**	**$ 31,674.25**	**$ (713.52)**	**$ 2,560.00**	**$ 9,397.55**	**$ 20,536.23**	**$ 23,895.32**	**$ -**	**$ 98,998.45**	**$ (780.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 24,513.44**	**$ 169,627.56**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22								$ (3,111.14)	$ 47,000.00		$ 1,939.47		$ 182,531.40
Expenditures FY22	$ 1,304.77	$ 2,062.28	$ -	$ (1,610.17)		$ 23,325.00		$ 17,055.95	$ 21,646.39		$ 283,535.21	$ 2,736.00	$ 325,012.63
Fund Balance 1/31/2022	**$ 4,911.03**	**$ (2,062.28)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,388.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,491,303.76**	**$ (2,736.00)**	**$ 109,842.46**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,952,883.65
Expenditures FY22			$ 321,608.99	$ 217,459.00	$ 77,327.19	$ 510,286.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 141,180.08	$ 25,046.84	$ 24,946.75	$ 3,408,316.31
Fund Balance 1/31/2022	**$ 158,933.46**	**$ 806,274.01**	**$ 262,382.30**	**$ (506,843.49)**	**$ 532,821.84**	**$ (819,678.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 75,180.65**	**$ 22,987.84**	**$ (101,927.06)**	$ 7,774,523.23

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for January 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of January 31, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of January 31, 2022.

Current Assets:
As of the end of January 2022 the total current assets of Ingersoll Turf Facility were $226,735. This consisted of cash and cash equivalents of $226,735.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of January 31, 2022, were $89,514.

Liabilities:
Ingersoll had no accounts payable as of January 31, 2022, and an interfund payable of $26,583.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through January 2022 are $108,013. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through January 2022 were $85,185. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Ingersoll has an operating gain of $22,828 compared to a net gain in December of $12,868.

As of January 31, 2022, Ingersoll has a increase in net assets of $22,828.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
January 31, 2022
Business-type Activities - Enterprise Fund

		January 31, 2022	December 31, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,735	$ 226,687	$ 48
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,735	226,687	48
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,249	316,201	48
LIABILITIES				
Accounts payable		$ -	$ 1,740	(1,740)
Interfund payable		$ 26,583	$ 34,755	(8,172)
Total liabilities		26,583	36,495	(9,912)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 200,152	$ 190,192	$ 9,960
Total net assets		**$ 289,666**	**$ 279,706**	**$ 9,960**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
Jamuary 31, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 108,013
Operating expenses:	
Personnel	58,751
Supplies	8,832
Utilities	9,680
Repairs and maintenance	2,522
Rent	-
Depreciation	-
Capital expenses	5,400
Other expenses	-
Total operating expenses	85,185
Operating gain (loss)	22,828
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	22,828
Transfers out	-
Change in net assets	22,828
Total net assets, July 1	266,838
Total net assets, January 31, 2022	**$ 289,666**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 5,775	23.10%	$ 25,000	$ 8,825	35.30%
Batting Cages	$ 16,000	$ 11,091	69.32%	$ 13,000	$ 9,280	71.38%
Programs	$ 94,000	$ 30,941	32.92%	$ 90,000	$ 2,337	2.60%
Rental Income	$ 138,000	$ 59,853	43.37%	$ 102,000	$ 31,177	30.57%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 107,660	39.44%	$ 230,000	$ 51,619	22.44%
INTEREST ON INVESTMENTS	$ -	$ 353		$ -	$ 891	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 108,013**	**39.57%**	**$ 230,000**	**$ 52,510**	**22.83%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through January 31, 2022 compared to January 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU JAN 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 58,751	44.16%	$ 187,546	$ 75,847	40.44%	$ (17,096)
Purchased Services	$ 15,750	$ 2,522	16.01%	$ 14,450	$ 2,225	15.40%	$ 297
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 8,832	353.28%	$ 4,000	$ 718	17.95%	$ 8,114
Utilities	$ 24,150	$ 9,680	40.08%	$ 25,650	$ 7,192	28.04%	$ 2,488
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,400		$ -	$ -		$ 5,400
	$ 191,741	$ 85,185	44.43%	$ 250,146	$ 85,982	34.37%	$ (797)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 85,185**	**44.43%**	**$ 250,146**	**$ 85,982**	**34.37%**	**$ (797)**

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for January 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of January 31, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, December 31, 2020.

Current Assets:
As of the end of January 2022 the total current assets of Norway Savings Bank Arena were ($1,163,208). These consisted of cash and cash equivalents of $269,729, accounts receivable of $157,621, and an interfund payable of $1,590,558.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of January 31, 2022, were $195,258.

Liabilities:
Norway Arena had no accounts payable as of January 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through January 2022 are $606,964. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through January 2022 were $339,065. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Norway Arena has an operating and net gain of $267,899.

As of January 31, 2022, Norway Arena has an increase in net assets of $267,899.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $271,996 more than in FY21 and expenditures in F22 are $33,995 less than last year in January.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
January 31, 2022
Business-type Activities - Enterprise Fund

		January 31, 2022	December 31, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 269,729	$ 265,152	$ 4,577
Interfund receivables		$ (1,590,558)	$ (1,661,895)	$ 71,337
Prepaid Rent				$ -
Accounts receivable		157,621	12,068	$ 145,553
	Total current assets	(1,163,208)	(1,384,675)	221,467
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(967,950)	(1,189,417)	221,467
LIABILITIES				
Accounts payable		$ -	$ 1,710	$ (1,710)
Net OPEB liability		$ 43,811	$ 43,811	$ -
Net pension liability		42,634	42,634	-
Total liabilities		86,445	88,155	(1,710)
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,249,653)	$ (1,472,830)	$ 223,177
Total net assets		**$ (1,054,395)**	**$ (1,277,572)**	**$ 223,177**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
January 31, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 606,964
Operating expenses:	
Personnel	124,123
Supplies	39,952
Utilities	124,102
Repairs and maintenance	19,948
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	339,065
Operating gain (loss)	267,899
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	267,899
Transfers out	-
Change in net assets	267,899
Total net assets, July 1	(1,322,294)
Total net assets, January 31, 2022	**$ (1,054,395)**

CITY OF AUBURN, MAINE

REVENUES - NORWAY SAVINGS BANK ARENA

Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 10,750	65.15%	$ 16,500		0.00%	$ 10,750
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 494	24.70%	$ 3,000		0.00%	$ 494
Games Vending Machines	$ 3,000	$ 953	31.77%	$ 3,000		0.00%	$ 953
Vending Food	$ 2,000	$ 148	7.40%	$ 3,000	$ 5	0.17%	$ 143
Sponsorships	$ 185,000	$ 116,051	62.73%	$ 230,000	$ 89,950	39.11%	$ 26,101
Pro Shop	$ 7,000	$ 3,339	47.70%	$ 7,000	$ 4,503	64.33%	$ (1,164)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 683,500	$ 449,944	65.83%	$ 727,850	$ 226,550	31.13%	$ 223,394
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 13,960	27.92%	$ 10,900
Tournaments	$ 50,000		0.00%	$ 55,000		0.00%	$ -
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 606,964	59.22%	$ 1,122,850	$ 334,968	29.83%	$ 271,996

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through January 31, 2022 compared to January 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU JAN 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 124,123	36.57%	$ 328,913	$ 142,781	43.41%	$ (18,658)
Purchased Services	$ 123,928	$ 50,888	41.06%	$ 120,000	$ 71,578	59.65%	$ (20,690)
Supplies	$ 79,000	$ 39,952	50.57%	$ 83,000	$ 41,689	50.23%	$ (1,737)
Utilities	$ 250,350	$ 124,102	49.57%	$ 244,650	$ 117,012	47.83%	$ 7,090
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 339,065	40.60%	$ 826,563	$ 373,060	45.13%	$ (33,995)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 339,065**	**40.60%**	**$ 826,563**	**$ 373,060**	**45.13%**	**$ (33,995)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: February 22, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
March 7, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

A. Auburn Housing Authority Update – Martin Szydlowski (15 minutes)
B. IT (Information Technology) Overview – Jill Cunningham (15 minutes)
C. Recreation Overview – Jeremy Gatcomb (15 minutes)
D. HR Overview – Chris Mumau (15 minutes)
E. Finance Overview – Jill Eastman and Kelsey Earle (15 minutes)
F. Sports Tourism / Norway Arena – Marc Gosselin (15 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Staples

Pledge of Allegiance

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

1. Order 31-03072022*
Re-appointing Jonathan LaBonté to the Lewiston Auburn Railroad Company Board of Directors with a three-year term of April 2022 - April 2025.

2. Order 32-03072022*
Authorizing Jason Levesque to vote the shares held by any shareholder for the Lewiston Auburn Railroad Company.

II. Minutes – February 22, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

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

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 07-02222022
Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. **Second reading.**

VI. New Business

1. Order 33-03072022
Authorizing the fee waiver for Police Department detail coverage for the Trek Across Maine event.

2. Order 34-03072022
Authorizing loans of up to $1,298,488 through the State School Revolving Renovation Fund. First reading. ***Passage requires an affirmative vote of five at the second and final reading.***

3. Order 35-03072022
Approving the TIF #26 North River Road Apartments Municipal Development Tax Increment Financing Development Program. **Public hearing and vote.**

4. Ordinance 08-03072022
Amending the Zoning Map and Adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map. Public hearing and first reading.

5. Ordinance 09-03072022
Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. **Public hearing and first reading.**

6. Ordinance 10-03072022
Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). **Public hearing and first reading.**

7. Order 36-03072022
Directing staff to draft residential zone amendments consistent with the Comprehensive Plan and to direct the Planning Board to review, hold public hearings on the proposed zone changes and forward recommendations to the Council.

8. Order 37-03072022
Allocating $500,000 of ARPA funds to relocate and expand the Business and Community Development Department (95 Main St.).

9. Order 38-03072022

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

10. Order 39-03072022
Authorizing the reallocation of ARPA funds to expand the Sustainable Auburn Program.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – January 2022 Final Monthly Report

IX. Executive Sessions:
Economic development, pursuant to 1 MRSA Sec. 405(6)(C)
Contract negotiations, pursuant to 1 MRSA Sec. 405(6)(D)

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Auburn Housing Authority Update

Information: Martin Szydlowski, Executive Director of the Auburn Housing authority will provide information and an update on the Auburn Housing Authority.

City Budgetary Impacts: N/A

Staff Recommended Action: Presentation and discussion

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Department Overviews

Information: This is a continuation of the department overview presentations. The following department presentations for tonight's meeting are as follows:

IT (Information Technology) Department
Recreation Department
Human Resources Department
Finance Department
Sports Tourism/Norway Savings Bank Arena

City Budgetary Impacts: None

Staff Recommended Action: Presentation and discussion

Previous Meetings and History: Department overview presentations began on 1/3/2022 with Economic Development, followed by Police, Fire, EMS on 1/18/2022, Auburn Public Library, City Clerk, Community & Business Development, and Planning on 2/7/2022, and Public Works, Communications, Assessing, and Capital Investment & Purchasing on 2/22/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 31-03072022

Author: Sue Clements-Dallaire, City Clerk

Subject: Re-appointing Jonathan LaBonté to the Lewiston Auburn Railroad Company

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Information: Jonathan LaBonté has served two three-year terms on the LARC beginning in 2016. The re-appointment would be for another three-year term from 2022-2025.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 31-03072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Jonathan LaBonté to the Lewiston-Auburn Railroad Company from April 2022 to April 2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 32-03072022

Author: Sue Clements-Dallaire, City Clerk

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

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Information: Pursuant to Article IV Sec. 2 and Article VI Sec. 4 of the Bylaws of the Lewiston and Auburn Railroad Company the Auburn Directors of the LARC shall be elected by the Auburn City Council and only the municipal official designated by the municipal legislative body shall be authorized to vote the shares held by any Shareholder.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 32-03072022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council hereby authorizes Jason Levesque to vote the shares held by any shareholder for the Lewiston Auburn Railroad Company.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

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

1. **Order 24-02222022***
Confirming Chief Moen's appointment of Timothy Robinson as Constable with Firearm for the Auburn Police Department.

2. **Order 25-02222022***
Appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2022.

3. **Order 26-02222022***
Appointing Paul Jacques to the Planning Board as associate member with a term expiration of 1-1-2023.

4. **Order 27-01182022***
Re-appointing Steve Ness to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2026.

5. **Order 28-01182022***
Appointing Eric Gould to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

6. **Order 29-01182022***
Re-appointing Dan Bilodeau to the Auburn Water District Board of Trustees with a term expiration of 3-1-2026.

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

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

Passage 6-0.

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

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

Passage 6-0.

III. Communications, Presentations and Recognitions

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

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

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

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

V. Unfinished Business

1. Ordinance 05-02072022
Adopting a Disorderly House ordinance. Second reading.

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

Public comment – No one from the public spoke.

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

2. Ordinance 06-02072022
Amending the Auburn Code of Ordinances, Chapter 2, Administration, Article V. Boards, Commissions and Committees by striking Division 5 Conservation Commission and Division 8, Agriculture Committee and replacing Division 5 with Sustainability and Natural Resource Management Board. Second reading.

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

Public comment - No one from the public spoke.

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

VI. New Business

1. **Order 30-02222022**
Amending Tambrands II Municipal Development and Tax Increment Financing District. Public hearing and vote.

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

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

Passage 6-0.

3. **Ordinance 07-02072022**
Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. Public hearing and first reading.

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

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

Dear City Officials:

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

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

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

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

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

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

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

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

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

Please give your consideration to my concerns.

Suzanne Roy
8, Joline Drive, Auburn

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

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

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

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

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

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

Public comment – No one from the public spoke.

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

Passage 6-0, time 8:04 pm.
Council was declared out of executive session at 8:21 pm.

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

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

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

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

VIII. Reports

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

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

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

IX. Executive Sessions:

Economic development, pursuant to 1 MRSA Sec. 405(6)(C)
Motion was made by Councilor Gerry and seconded by Councilor Whiting to enter into executive session.

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

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

Economic development, pursuant to 1 MRSA Sec. 405(6)(C)
Motion was made by Councilor Milks and seconded by Councilor Walker to enter into executive session.

Passage 6-0, time 8:42 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

ARPA FUNDING PROPOSAL

Auburn Ski Association

Established in 1962, the Auburn Ski Association (ASA). Our organization has an extensive history of keeping the local ski community alive. ASA has held its annual ski swap for over 50 years until covid hit.

The ASA annual ski swap provides a venue for local skiers to purchase ski equipment at heavily discounted rates and sell off their old equipment. The fall of 2020, I believe, was the first year the ASA could not hold its annual ski swap, which is our primary fundraiser and an important community event.

The ASA raises approximately $12,000 at this event each year. We use these funds to run the Merrick Learn to Ski Program which puts about 70 kids from ages 7 to 12 years old on skis every year. Unfortunately, again in 2021, we could not hold our swap due to supply chain and inventory issues.

This ASA subsidized program provides transportation, equipment, and lessons at Lost Valley to many youths that probably would never have the chance to enjoy the snow. Offering this opportunity to local youth could influence generations as skiing is undoubtedly a life-long sport.

We also help fund ELHS and AMS alpine and nordic ski teams by purchasing race and safety equipment. We make sure that if any student cannot afford to race, we make it happen by providing equipment and whatever they may need to participate. In addition, we provide two annual scholarships to the ELHS graduating class and fund any racer that makes the Maine State Ski Racing Team but can't afford the trip to the Eastern Finals held in Vermont every spring.

The Auburn Ski Association is requesting $24,000 in American Rescue Plan Act (ARPA) funding to help us recover from the past two years of ski swaps we could not hold. We have not applied or asked for any other government help other than this request.

Your consideration for any help you can provide is greatly appreciated. Feel free to contact me anytime with any questions.

Respectfully Submitted

Kevin Arel
President, ASA, Auburn Ski Association
PO Box 1173, Auburn ME 04210
207-754-1045

www.auburnskiassociation.com
EiN: 01-0963133
Non profit status: 501(c) (3)

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Ordinance:** 07-02222022

Author: Phil Crowell, City Manager

Subject: Public Safety, Detention, and Correctional Facility Moratorium

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Information: The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

Staff is proposing the city council declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist.

City Budgetary Impacts: None

Staff Recommended Action: Adopt the moratorium

Previous Meetings and History: Public hearing and passage of first reading on 2/22/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Moratorium

ORDINANCE 07-02222022

City Council Ordinance

CITY OF AUBURN

PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE

THE CITY OF AUBURN adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

WHEREAS, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

WHEREAS, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

WHEREAS, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

WHEREAS, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

WHEREAS, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

WHEREAS, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safely Facilities, Detention

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

Facilities and Correctional Facilities;

WHEREAS, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

WHEREAS, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

WHEREAS, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health. land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the

City Council Ordinance

Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

BE IT FURTHER ORDAINED, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 3. Definitions.

Correctional Facility means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

City means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Detention Facility means a facility in which persons are held and housed in custody under process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

City Council Ordinance

Public Safety Facility means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

Section 4. Effective Date; Emergency Declaration

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

Proposed: February 22, 2022
Approved: _____

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 07, 2022 **Order:** 33-03072022

Author: Alison F. Pepin

Subject: Request by American Lung Association to waive the PD detail fee of $1,040 for the annual Trek Across Maine.

Information: American Lung Association, 122 State Street, Augusta, is requesting the Police Department detail fees of $1,040 be waived for their annual Trek Across Maine taking place June 17th and 18th.

Sec. 14-31. Fees; waiver. The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the City Council. The City Council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of fees must be presented in writing to the City Clerk to be brought to the City Council at its next available meeting.

City Budgetary Impacts: $1,040

Staff Recommended Action: Consider waiving the fee.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Letter from American Lung Association
- Email from Chief Moen
- Special Event/Mass Gathering Application
- Order 33-03072022

Auburn Mayor & City Council

February 22, 2022

Dear Mayor and City Council members, I am requesting the fees for the police and public works be waived for the event Trek Across Maine taking place in your area June 17th & 18th, 2022. The American Lung Association is a 501(c)3 with a non-profit ID number of 13-1632524 and raising funds to fight lung cancer and lung disease, promote clean air, stop smoking programs and more. We will be entering the Auburn area around 11:00 am on Friday the 17th and thereafter for a few hours with approximately 1000 cyclists, 700 volunteers, family, friends & spectators on our way to Lewiston for our overnight, then we will come through Auburn again via a different route on Saturday morning on our way to Standish and Saint Joseph's College.

I have no idea on the cost of city services because I have nothing to go on from 2019 when you were a host city then as well. I do have an email from Chief Jason Moen on Wednesday the 16th, letting me know the cost of the police detail for the two days would be $1040. I have also discussed the routes with Officer Chris Hatfield.

The cost to all non-profits has been staggering because they received none of the Covid relief funds, which is as it should be because we have not used taxpayer funding, just generosity funding, so as usual we must depend on donations, but we received less of those because of Covid. So many people were lowering their budgets and not as many participated in the virtual rides. We have had to do a virtual Trek Across Maine for the last two years which cut our operating funds greatly as well as cutting our staff because of refusal to be vaccinated, etc. We are trying to come back from the pandemic, but it will be slow process because trekkers (and volunteers) must be vaccinated to participate which is cutting our numbers some. The American Lung Association was in the forefront during the pandemic because Covid was and is a lung issue, but we were and are operating with less funds.

The Trek Across Maine is good for your local economy, because I know for a fact that we have volunteers, trekkers and family members staying at hotels in Auburn. We will be eating, drinking, buying gas and staying in the LA area the night of the 17th. Not having had an in-person Trek for the last two years we will also probably have some media coverage, as we always have had before the pandemic.

Considering the mission of the American Lung Association and the business we will bring to the area it would be very helpful to us to be able to donate more funds for the prevention of lung disease/cancer/covid, programs to keep kids from smoking and making the air we all breathe cleaner.

When you can't breathe nothing else matters.

Thank you for your consideration.

Sincerely,

George Eastman
American Lung Association in Maine
122 State Street | Augusta, ME 04330
C: 207-215-7531
Lung HelpLine: 1-800-LUNGUSA
george.eastman@Lung.org

AMERICAN LUNG ASSOCIATION

Date received: 01/04/2022
Date approved: 01/05/2022

CITY OF AUBURN
SPECIAL EVENT/MASS GATHERING APPLICATION

Required for any special event on city property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

****

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: 1/4/22

SPONSOR INFORMATION

Name of Sponsoring Organization: American Lung Association

Name of Contact Person for Event: George Eastman

Title of Contact Person: Development Assistant

Mailing Address: 122 State St., Augusta, ME 04330

Daytime Telephone: 207-624-0312 Cell Phone: 207-215-7531

Email Address: george.eastman@lung.org

Contact Name and Cell Phone Number DURING the Event: Gale Auclair 207-907-9155

Is your organization incorporated as a non-profit organization? Yes ☑ No ☐

Non-Profit Number: 176360

EVENT INFORMATION

Name of Event: Trek Across Maine

Type of Event (walk, festival, concert, etc.): Cycling fundraiser healthy lungs and clean air.

Date of Event: June 17th & 18th in the Auburn area Rain Date: _____

Times of Event: Start Time including set-up: 17th, 11:00am 18th, 7:00am Ending time including clean up: 3:00pm ~~11:00am~~

Actual Event Start Time: ~~18th, 7:00am~~ 17th, 11:00am Actual Event End Time: ~~18th, 11:00am~~ 17th, 3:00pm

Estimated Attendance: 1000-1200 cyclists plus volunteers, staff, family supporters, and spectators.

Location of Event: Brunswick to Lewiston to Standish back to Brunswick

Have you held an event at this location within the last 12 months? Yes ☐ No ☑

If the location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved?

Yes ☐ No ☐ Pending ☐ Date submitted to the Recreation Department: Not a city park

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Not permitted	**CROSS-STREET BANNERS** Please note that the city no longer allows cross-street banners.			
Separate fee and permit possible	**FOOD** – Will food or beverages be sold? If yes, list what types of food or beverages: Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	☐	☑	☐
Separate fee and permit possible	**NON-FOOD ITEMS** – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: Note - A peddler permit may be required and must be submitted 14 days prior to the event.	☐	☑	☐
N/A	**LIVE MUSIC** – Will there be any outdoor musical performances? If yes, please describe:	☐	☑	☐
N/A	**SOUND AMPLIFICATION** – Will there be a microphone or speaker system to project sound?	☐	☑	☐
Separate fee and permit possible	**ALCOHOL** – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	☐	☑	☐
Separate fee and Permit required	**CARNIVAL** – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.	☐	☑	☐
Separate fee and Permit required	**FIREWORKS** – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	☐	☑	☐
N/A	**PARADE** – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.	☐	☑	☐
N/A	**RUN/WALK/CYCLE** – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route: Cycling fundraiser. Coming in from Durham, going across the Riverwalk to Lewiston.	☑	☐	☐
Separate permit required	**BURN PERMIT** – Will there be any open flame such as a bonfire? If yes, describe activity: Note - A permit from the Fire Department is required.	☐	☑	☐

N/A	**TENT/CANOPY** – Will you be setting up a tent or canopy? If yes, list number and sizes:	☐	☑	☐
Separate fee and permit required	**ELECTRICAL POWER/EQUIPMENT** – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment?	☐	☑	☐
N/A	**ROAD/INTERSECTION CLOSURE** – Will any roads need to be closed to accommodate your event? If yes, please list:	☐	☑	☐
N/A	**MAP/DIAGRAM** – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.	☐	☑	☐
N/A	**PARKING ACCOMODATIONS** – What will be the anticipated need for parking and what is your parking plan?	☐	☑	☐
N/A	**TOILETS** – Please list amount at event and/or nearest location:	☐	☑	☐
N/A	**WASTE DISPOSAL** – Please list process and location:	☐	☑	☐
N/A	**HAND WASHING FACILITIES** – Please list amount at event and/or nearest location:	☐	☑	☐
N/A	**POTABLE WATER** – Please list amount at event and location:	☐	☑	☐
N/A	**FIRST AID FACILITIES** – Please list location at event:	☐	☑	☐
$	**TOTAL FEE INCLUDED** – Checks payable to "City of Auburn"			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc., the city requires general liability insurance coverage. The **City of Auburn** is to be named as "additionally insured" for the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the City of Auburn listed on the Certificate of Insurance (minimum coverage $1,000,000 Bodily Injury or Death, per occurrence, and $300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the city. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

Signature of Applicant:	Printed Name:	Date Submitted:
	George Eastman	1/4/22

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector	N/A	–	–	–
Code Officer/Land Use & Zoning	✓		01/05/22	KB
Fire Department	✓		01/04/22	MF
Police Department	✓		01/05/22	A.H
Public Works Department	✓		01/05/22	D.D.
Recreation Department	✓		01/04/22	G.

COMMENTS/CONDITIONS from any of the above departments:

City Council Public Hearing date, if applicable: _____

License Approved/Denied: 01/05/2022 Date applicant notified: 01/18/2022

From:	Jason Moen
To:	Phil Crowell; George.Eastman@lung.org
Cc:	Brian Wood; Alison Pepin
Subject:	RE: Waiver
Date:	Wednesday, February 16, 2022 10:00:30 AM
Attachments:	image001.png image002.png image003.png image004.png

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George,
The cost of the police detail is:

Friday 6/17 – 2 officers – 4 hours	$520
Saturday 6/18 – 2 officers – 4 hours	$520
Total	$1040

Jason

Jason D. Moen
Chief of Police, Auburn Police Department
60 Court Street | Auburn, Maine 04210 | 207.333.6650 X2052

The City of Auburn is subject to statutes relating to public records. E-mail sent or received by City employees are subject to these laws. Senders and receivers of City e-mail should presume that messages are subject to release.

From: Phil Crowell <pcrowell@auburnmaine.gov>
Sent: Wednesday, February 16, 2022 9:59 AM
To: George.Eastman@lung.org
Cc: Brian Wood <bwood@auburnmaine.gov>; Alison Pepin <apepin@auburnmaine.gov>; Jason Moen <jmoen@auburnmaine.gov>
Subject: Waiver

Hi George –

I was copied on your request for the city to waive your fees related to the Trek Across Maine event. I would like to get your request to the city council as soon as possible. Please submit a letter to the Mayor/Council requesting the waiver, date of event, cost for city services, the impact of COVID to your organization, and the benefits of being a host city by tomorrow morning, I can get this is the next agenda packet for the 2/22 meeting. If I receive it after tomorrow, the request will go before the council at the March 7th date . Please email me your letter. Thanks!

Phil Crowell, Jr.
City Manager
City of Auburn
60 Court Street, Auburn, ME 04210
Ph: 207-333-6601 Ext. 1222
www.auburnmaine.gov

ORDER 33-03072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the request by American Lung Association in Maine to waive the Police Department detail fee of $1040.00 for Trek Across Maine taking place June 17th and June 18th.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 34-03072022

Author: Jill M. Eastman, Finance Director

Subject: School Revolving Renovation Fund Loan, First Reading

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Information: The Auburn School Department applied for a Revolving Renovation Fund Loan and has been approved by the State. Please see attached sheets that describe the projects being funded.

City Budgetary Impacts: This is a 10 year loan, interest free and 67.05% of the principal is forgiven, therefore the School is only required to repay 32.95% or a total of $427,852 over a 10 year period at $42,785.20 per year.

Staff Recommended Action: Approve the first reading.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
State approval letter and project description. (4 pages)

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

JANET T. MILLS
GOVERNOR

PENDER MAKIN
COMMISSIONER

RECEIVED
FEB 03 2022
By

January 31, 2022

Cornelia Brown
Superintendent of Schools
Auburn School Department
60 Court St 4th Floor
Auburn, ME 04210

RE: Eligibility Certificates – SRRF Projects #1460, #1537, and #1538

Dear Superintendent Brown:

I am pleased to inform you that your School Revolving Renovation Fund applications for Projects #1460, #1537, and #1538 have been approved for funding for the amounts listed on the attached eligibility certificates.

The loan process for your projects must be initiated within 30 days. Please contact Toni Reed, Program Loan Officer, Maine Municipal Bond Bank at 622-9386 for assistance.

Awardees must comply with all applicable statutory and rule requirements for public improvement projects. Please see the attached post award guidance. You may contact Valerie Chiang, School Construction Coordinator, at 462-0132 for technical assistance.

Please note that failure to comply with SRRF program requirements and all applicable statutes and rules may result in revocation of your SRRF eligibility certificates and cancellation of your SRRF awards.

I wish you good luck as you complete your projects. If you have any questions regarding the School Revolving Renovation Fund, please contact Ann Pinnette at 215-3809 or ann.pinnette@maine.gov.

Sincerely,

Pender Makin

Pender Makin
Commissioner

Enclosures: SRRF Eligibility Certificates
SRRF Post Award Information

cc: Toni Reed, Maine Municipal Bond Bank

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Regional Education Treatment Center/SOS	
Priority	1	
Project #	1537	
Scope of Work	ADA Elevator/bathrooms	
Amount Funded	$1,000,000	
Maximum Loan Amount	**$1,000,000**	
Portion of Loan to be Forgiven	$670,500	*67.05%*
Portion of Loan to be Repaid	$329,500	*32.95%*
Length of Loan	10 years	(loan more than $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin

Pender Makin
Commissioner

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Auburn Middle School	
Priority	2	
Project #	1460	
Scope of Work	Windows	
Amount Funded	$83,430	
Maximum Loan Amount	**$83,430**	
Portion of Loan to be Forgiven	$55,940	*67.05%*
Portion of Loan to be Repaid	$27,490	*32.95%*
Length of Loan	10 years	(loans $500,000 or less combined with companion loans to total over $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin
Pender Makin
Commissioner

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Walton Elementary School	
Priority	2	
Project #	1538	
Scope of Work	Windows and Doors	
Amount Funded	$215,058	
Maximum Loan Amount	**$215,058**	
Portion of Loan to be Forgiven	$144,196	*67.05%*
Portion of Loan to be Repaid	$70,862	*32.95%*
Length of Loan	10	(loans $500,000 or less combined with companion loans to total over $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin
Pender Makin
Commissioner

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

The Auburn City Council will hold a public hearing on March 21, 2022, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on an order authorizing a borrowing of up to $1,298,488 and issuance of the City's general obligation bonds therefor. The loan will be funded through the State School Revolving Renovation Fund and will be used to finance certain renovations and improvements to the Regional Education Treatment Center/SOS, Auburn Middle School and Walton Elementary School.

The order will be available for inspection at the City Clerk's office during regular business hours.

Susan Clements-Dallaire, City Clerk

ORDER 34-03072022

City Council Order

IN CITY COUNCIL

ORDER, AUTHORIZING LOANS OF UP TO $1,298,488 THROUGH THE STATE SCHOOL REVOLVING RENOVATION FUND

WHEREAS, the City desires to obtain one or more loans through the Maine Municipal Bond Bank's (the "Bond Bank") School Revolving Renovation Fund ("SRRF") under the Maine School Facilities Finance Program to finance renovations and improvements to the Regional Education Treatment Center/SOS, Auburn Middle School and Walton Elementary School; and

WHEREAS, the City expects to enter into one or more loan agreements with the Bond Bank in an aggregate amount not to exceed $1,298,488, provided, however, that the City anticipates that 67.05% of said loan or loans (estimated to be $870,636) will be forgiven and that the City will be obligated to repay the 32.95% balance of said loan or loans (estimated to be $463,386);

NOW, THEREFORE, BE IT ORDERED BY THE AUBURN CITY COUNCIL, pursuant to Section 5772 of Title 30-A of the Maine Revised Statutes, as amended, the Auburn City Charter and all amendments thereof, and all other authority thereto enabling, and following a public hearing duly called and held as required by Article 8, Section 8.13 of the City Charter:

THAT the Finance Director / City Treasurer are hereby authorized to borrow an amount not to exceed $1,298,488, of which 67.05% (estimated to be $870,636) is expected to be forgiven and 32.95% (estimated to be $463,386) is expected to be repaid under the terms of the SRRF program (the "SRRF Loans"), and to evidence the amount of such SRRF Loans to be repaid under the SRRF program through the issuance of the City's general obligation bonds (anticipated to be an amount not to exceed $463,386), the proceeds of which are hereby appropriated to fund the costs of the following school renovations and improvements (including costs of issuance, capitalized interest, and any other costs related or ancillary thereto) (referred to as the "Projects"):

Amount	Description
$1,000,000	Regional Education Treatment Center/SOS – ADA Compliance - Elevator/Bathrooms Renovations and Improvements
$83,430	Auburn Middle School – Window Replacement and Improvements
$215,058	Franklin School – Window and Door Replacement and Improvements

THAT the bonds shall be issued as authorized hereunder and shall be signed by the Finance Director / City Treasurer, attested by the City Clerk under the seal of the City.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

THAT the bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the Finance Director / City Treasurer.

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

THAT the Finance Director / City Treasurer is authorized to negotiate, execute, and deliver, in the name of and on behalf of the Town such loan agreements, contracts, and other agreements, documents and certificates as may be necessary or appropriate as determined and approved by the Finance Director / City Treasurer in connection with the financing of the Projects (the "Financing Documents"), which Financing Documents shall be in such form and contain such terms and conditions, not inconsistent herewith, including the usual and customary terms as is required by the Bond Bank under its SRRF program, as may be approved by the Finance Director / City Treasurer such approval to be conclusively evidenced by her execution thereof.

THAT the Finance Director / City Treasurer and Clerk be, and hereby are authorized and empowered in the name of the City and on its behalf to do or cause to be done all such other acts and things as may be necessary or desirable in order to complete the SRRF Loan and to effect the issuance, sale and delivery of the bonds hereinabove authorized.

THAT a tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year.

THAT if the Finance Director / City Treasurer or Clerk are for any reason unavailable to complete the SRRF Loan and to approve and execute the bonds or any of the Financing Documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had herself performed such act.

THAT if any of the officers or officials of the City who have signed or sealed the bonds shall cease to be such officers or officials before the bonds so signed and sealed shall have been actually authenticated or delivered by the City, such bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds had not ceased to be such officer or official; and also any such bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds, shall be the proper officers and officials of the City, although at the nominal date of such bonds any such person shall not have been such officer or official.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

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

A public notice providing a general summary of the proposed borrowing was published the same on March 5, 2022, in the Lewiston Sun-Journal, a daily newspaper published in Androscoggin County.

A public hearing was held on March 21, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 35-03072022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: North River Road Apartments Municipal Development Tax Increment Financing Development Program

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Information: Create a new TIF District to capture 100% of the increased value from the new apartments on North River Road. The captured tax dollars can fund projects such as improving North River Road and adjacent roadways and supporting Public Safety and Economic Development.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Program overview

ECONOMIC DEVELOPMENT PROJECT

CITY OF AUBURN, MAINE

An Application for a Municipal Development and Tax Increment Financing District

---

TIF #26 - NORTH RIVER ROAD APARTMENTS MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT

DEVELOPMENT PROGRAM

Presented to:

City Council
City of Auburn
March 7, 2022

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Auburn		
2. Address: 60 Court Street, Auburn, ME 04210		
3. Telephone: 207-333-6601	4. Fax: 207-333-6623	5. Email: gholmes@auburnmaine.gov
6. Municipal Contact Person: Glen E. Holmes, Director of Business and Community Development		
7. Business Name: N/A		
8. Address:		
9. Telephone:	10. Fax:	11. Email:
12. Business Contact Person:		
13. Principal Place of Business:		
14. Company Structure (e.g. corporation, sub-chapter S, etc.):		
15. Place of Incorporation:		
16. Names of Officers:		
17. Principal Owner(s) Name:		
18. Address:		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
☐ job creation	☐ job retention	☐ capital investment
☐ training investment	☐ tax base improvement	☐ public facilities improvement
☐ other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
☐ real estate purchase	☐ machinery & equipment purchase	☐ training costs
☐ debt reduction	☒ other (list): **Please refer to Table 1 in Development Program**	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (*please use next page*).

N/A

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Exhibit List

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Development Program

I. Introduction

The Maine Legislature established tax increment financing as an economic development tool to be used by municipalities to: (a) provide new employment opportunities; (b) improve and broaden its tax base; and (c) improve the general economy of the State. The Legislature recognizes that the State and its municipalities benefit from a municipality's economic development partnership with a local business to promote responsible new development that (a) enhances local efforts for economic, industrial or commercial development; and (b) retains and expands the local tax base and employment opportunities.

The City of Auburn (the "City" or "Auburn") seeks to establish a Tax Increment Financing ("TIF") district to be known as the "**TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District**" (the "District"), located on North River Road.

The District consists of one parcel located at 273 North River Road and is identified on City Tax Maps as Tax Map 271 Lot 101. The District is approximately 3.32 acres. The District is being developed for rental housing, consisting of three buildings with twelve apartments per building. The complex is estimated to cost $4,213,000 to construct.

In designating the proposed District and adopting this Development Program, the City can accomplish the following goals:

- Maintain the existing tax revenues;
- Enjoy enhanced future tax revenues generated by improvements within the District;
- Enable the investment of TIF Revenues (defined below) in high priority City projects;
- Create long-term, stable employment opportunities for area residents; and
- Improve the overall economy of the City, the Androscoggin County region, and the State of Maine.

In addition, by creating a TIF district, the City will "shelter" the increase in municipal valuation that the development will bring about. The tax benefit provided by the District will mitigate the adverse effect that the District's increased assessed property value would have on the City's share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefit is shown as **Exhibit C-2** attached hereto.

II. Development Program Narrative

A. The Development District

The District will encompass approximately 3.32 acres of real property. The District is located at 273 North River Road, a major road on the east side of the City that follows the Androscoggin River. The District is shown in **Exhibit A-1** and **Exhibit A-2** attached hereto.

B. The Development Program

The City's designation of the District and adoption of this Development Program creates a single municipal TIF District in order to capture the value of the taxable real property improvements made within the District and to authorize the use of tax increment financing revenues for various municipal economic development projects, as well as any potential future credit enhancement agreements. The Development Program will begin with the City's 2022-2023 fiscal year on July 1, 2022 and will continue for a total of twenty (20) years, ending on June 30, 2042.

Under this Development Program, the City will capture one hundred (100%) of the increased assessed value of taxable real property over the original assessed value of the District and retain the tax revenues generated by the captured assessed value for designated economic development purposes. The calculation of TIF Revenues (as defined below) is more specifically described below in Section IV – Financial Plan. In the Assessor's Certificate attached as **Exhibit B** hereto, the Assessor has certified the original assessed value of the District.

By adopting this Development Program, the City is creating a TIF district that will: (1) maintain existing tax revenues; (2) enjoy enhanced future tax revenues generated by new development within the District; and (3) shelter the captured assessed value from impacting the overall State valuation for the City of Auburn, thereby minimizing: (a) potential decreases in the City's State school subsidy and State revenue sharing, and (b) potential increases in the City's county tax assessments and local school district contributions.

Further, approval of this Development Program and the designation of the District will have a neutral impact on the existing tax base; only the increased assessed value over the original assessed value within the District will be captured. In addition, at the end of the District and Development Program, the City expects to emerge with a substantial amount of new taxable property value to add to its municipal tax base.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "TIF Statute"). Subsequent to a City Council vote designating the District and adopting this Development Program, evidenced by **Exhibit F** hereto, the designation of the District and adoption of this Development Program are effective upon approval by the DECD.

C. The Projects

Development within the District will provide a revenue source for the City's economic development projects. The City plans to use the TIF Revenues for several projects related to

economic and infrastructure development. Please see Table 1 herein for a complete list of authorized projects and their respective cost estimates.

TABLE 1
Municipal Project Costs

Project	Cost Estimate*	Statutory Citation
1. Administrative & Professional Services Costs. Costs of prorated portion of salaries of City staff for time associated with creation and administration of District, and fund costs of professional services associated with creation and administration of District.	$120,000	30-A M.R.S. § 5225(1)(A)(4); (1)(A)(5)
2. Economic Development Programs: Costs of the City's economic development programs, including, but not limited to, marketing costs, prorated portions of staff salaries devoted to supporting and administering TIF programming, and other related operating expenses for the City's Economic Development Department.	$20,000	30-A M.R.S. § 5225(1)(C)(1)
3. Road Improvements: Design, construction, engineering and other associated costs of road and construction on North River Road, Center Street, Cross Street, Northern Avenue, Bradman Street and Stetson Road, located within the District or outside the District but directly related to or made necessary by the District.	$3,000,000	30-A M.R.S. § 5225(1)(A)(1); (1)(B)(1)
4. Public Safety Facility: Costs related to the construction or operation of a public safety facility in the City, the need for which is related to general economic development within the City, not to exceed 15% of the captured assessed value of the development district.	$150,000	30-A M.R.S. § 5225 (1)(C)(9); (1)(B)(1)
Total	**$3,290,000**	

* These are estimates only. The City may allocate revenues generated by the District across approved project cost categories as needed.

D. Strategic Growth and Development

By creating and designating the District, the City is maximizing the economic development potential of the District and the City in general. TIF Revenues from the District will be used on important City economic development projects and programs.

Further, the City's designation of a TIF district and pursuit of this Development Program constitute a good and valid public purpose described in the TIF Statute in Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the Androscoggin County Region, by providing jobs and contributing to property taxes.

E. Improvements to the Public Infrastructure

As further set forth in Table 1, the City will use certain TIF Revenues for a variety of projects, including public infrastructure improvements.

F. Operational Components

1. Public Facilities

Please refer to Table 1 to review public facilities intended to be financed with TIF Revenues.

2. Commercial Improvements Financed Through Development Program

No commercial improvements will be financed through the Development Program.

3. Relocation of Displaced Persons

No persons will be displaced.

4. Transportation Improvements

Certain transportation related improvements are described in Table 1.

5. Environmental Controls

The improvements made under the proposed Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the City.

6. Plan of Operation

During the term of the District, the City Manager or his designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Physical Description

Municipal documents relating to the District's physical description attached as Exhibits:

(a) City of Auburn property map showing the District relative to City boundaries. **Exhibit A-1**

(b) City of Auburn property map showing the District property. **Exhibit A-2**

(c) Certification by the City of Auburn Assessor of the original assessed value of the District. **Exhibit B**.

IV. Financial Plan

The District will encompass approximately 3.32 acres of property. The original assessed value of the real property in the District was $60,300 as of March 31, 2021 (April 1, 2020). Development of the parcel is estimated to add approximately $3,000,000 of new assessed real property value to the City.

Upon each payment of property taxes by property owners inside the District, the City will deposit into a Development Program Fund the entirety of the property tax payments constituting TIF revenues (the "Development Program Fund"). TIF revenues will consist of property taxes paid on 100% of the increased assessed value in the District ("TIF Revenues").

The Development Program Fund consists of two segregated accounts, a sinking fund account ("Sinking Fund Account") and a project cost account (the "Project Cost Account"). The City will deposit the TIF Revenues necessary to pay debt service on any bonds that may be issued to pay for the City's TIF projects into the Sinking Fund Account. The money in this account is pledged to and charged with the payment of interest and principal on municipal indebtedness related to improvements in the District. Thereafter, the City will deposit any additional TIF Revenues into the Project Cost Account for approved municipal projects outlined in this Development Program and not financed with City indebtedness. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S.A. § 5227(3).

Estimates of the increased assessed value of the District, the anticipated captured assessed values and TIF Revenues generated by the District, and the estimated tax shifts are shown in **Exhibit C-1** and **Exhibit C-2**, respectively.

A. Costs and Sources of Revenues

Developers of District property will pay for and/or finance all costs of projects located in the District through private sources.

B. Municipal Indebtedness

The City reserves the right to issue municipal bonds in order to pay for infrastructure improvements described in Table 1. Any municipal bond issued for such project would require City Council approval.

V. Financial Data

The original assessed value of the taxable property in the District was $60,300 as of March 31, 2021 (April 1, 2020). Please find attached as **Exhibit G** the Statutory Requirements and Thresholds Form required by the Maine Department of Economic and Community Development.

VI. Tax Shifts

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in **Exhibit C-2** identifies the tax shifts that are expected to result during the term of the District from the establishment of the District.

VII. Municipal Approvals

A. Notice of Public Hearing

Attached as **Exhibit D** is a certified copy of the Notice of Public Hearing held on March 7, 2022 in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the *Sun Journal*, a newspaper of general circulation in the City on a date at least ten (10) days prior to the public hearing.

B. Minutes of Public Hearing

Attached as **Exhibit E** is a certified copy of the minutes of the public hearing held on March 7, 2022, at which time the proposed District was discussed by the public.

C. City Council Order

Attached as **Exhibit F**, is an attested copy of the City Council Order adopted by the Auburn City Council at a Council Meeting duly called and held on March 7, 2022, designating the District and adopting the Development Program.

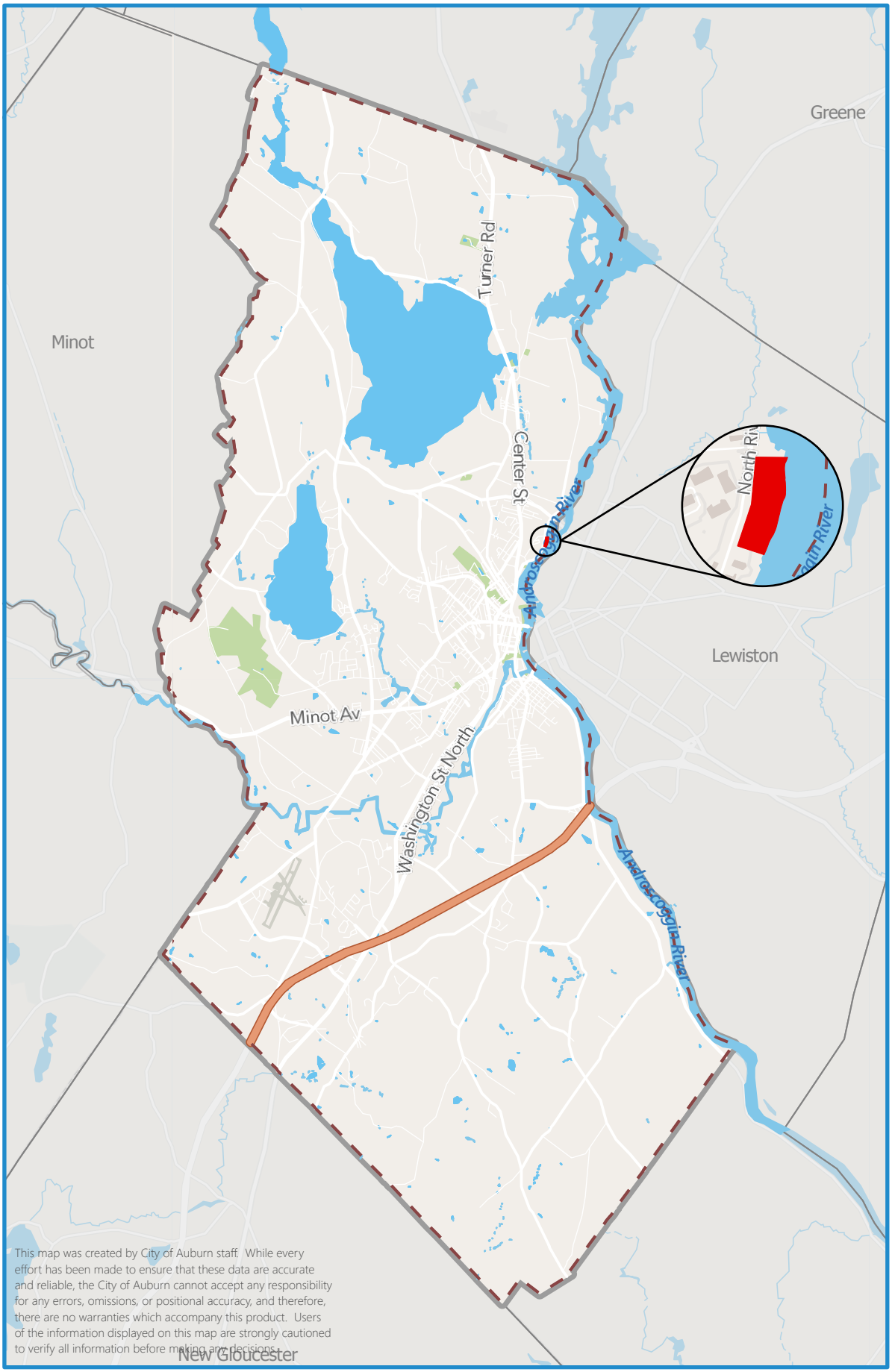
Exhibit A-1

(City of Auburn Property Map Showing District Property Relative to City Boundaries)

Exhibit A-1

TIF #26

North River Road Apartments Municipal TIF District



auburnmaine.gov

60 Court Street
Auburn, Maine
207.333.6601

LEGEND
TIF 26
Tax Map 27
Lot 101
3.32 Acres

N

0 2 Miles

This map was created by City of Auburn staff. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

Path D:\GISProjects\RM\zz_Departments\Planning\TIFs\TIF_Maps.aprx Updated: 2/7/2022

Exhibit A-2

(City of Auburn Property Map Showing District Property)

Exhibit A-2

TIF #26

North River Road Apartments Municipal TIF District

auburnmaine.gov

60 Court Street
Auburn, Maine
207.333.6601

LEGEND

TIF #26
3.32 acres

N

0 120 Feet

This map was created by City of Auburn staff. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

Path D:\GISProjects\RM\zz_Departments\Planning\TIFs\TIF_Maps.aprx Updated: 2/7/2022

Exhibit B

(Assessor's Certificate – City of Auburn, Maine)

EXHIBIT B

ASSESSOR'S CERTIFICATE
CITY OF AUBURN

The undersigned Assessor's Agent for the City of Auburn, Maine hereby certifies pursuant to the provisions of M.R.S.A Title 30-A § 5227(2) that:

The assessed value of taxable real property of the TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District as described in the Development Program to which the Certificate is included, comprised of the approximately 3.32 acres identified on City Tax Maps as Tax Map 271, Lot 101, was **$60,300** as of March 31, 2021 (April 1, 2020).

In Witness Whereof, This Certificate has been executed as of this 16th day of Feb, 2022.

K Scammon
ASSESSOR

Karen Scammon
PRINT NAME: Karen Scammon

Exhibit C-1

(Anticipated TIF Captured Assessed Values)

Exhibit C-1 - Captured Assessed Value & TIF Revenue Projections

TIF #26 North River Road Apartments TIF District – City of Auburn

Fiscal Year	TIF Year	Projected IAV	Percent Captured	Estimated Assessment Ratio	TIF District Projected CAV	Projected Mil Rate 21/22: 23.82	Projected Total TIF Revenue
2022-2023	1	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2023-2024	2	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2024-2025	3	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2025-2026	4	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2026-2027	5	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2027-2028	6	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2028-2029	7	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2029-2030	8	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2030-2031	9	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2031-2032	10	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2032-2033	11	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2033-2034	12	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2034-2035	13	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2035-2036	14	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2036-2037	15	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2037-2038	16	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2038-2039	17	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2039-2040	18	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2040-2041	19	$3,000,000	100%	100%	$3,000,000	23.82	$71,460
2041-2042	20	$3,000,000	100%	100%	$3,000,000	23.82	$71,460

20-Year Projected Total: $1,429,200

20-Year Projected Average: $71,460

Assumptions:

1. Projections show anticipated increased assessed values, captured assessed values, and TIF revenues.
2. Assumes a 20-year district term.
3. Projections assume a flat mil rate of 23.82
4. Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs.
5. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

Exhibit C-2

(Projected Tax Shift Benefits)

Exhibit C-2 - Tax Shift Benefits

TIF #26 North River Road Apartments TIF District – City of Auburn

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2022-2023	1	-	-	-	$0
2023-2024	2	-	-	-	$0
2024-2025	3	-	$2,901	$7,431	$10,332
2025-2026	4	$21,300	$2,901	$7,431	$31,632
2026-2027	5	$21,300	$2,901	$7,431	$31,632
2027-2028	6	$21,300	$2,901	$7,431	$31,632
2028-2029	7	$21,300	$2,901	$7,431	$31,632
2029-2030	8	$21,300	$2,901	$7,431	$31,632
2030-2031	9	$21,300	$2,901	$7,431	$31,632
2031-2032	10	$21,300	$2,901	$7,431	$31,632
2032-2033	11	$21,300	$2,901	$7,431	$31,632
2033-2034	12	$21,300	$2,901	$7,431	$31,632
2034-2035	13	$21,300	$2,901	$7,431	$31,632
2035-2036	14	$21,300	$2,901	$7,431	$31,632
2036-2037	15	$21,300	$2,901	$7,431	$31,632
2037-2038	16	$21,300	$2,901	$7,431	$31,632
2038-2039	17	$21,300	$2,901	$7,431	$31,632
2039-2040	18	$21,300	$2,901	$7,431	$31,632
2040-2041	19	$21,300	$2,901	$7,431	$31,632
2041-2042	20	$21,300	$2,901	$7,431	$31,632
2031-2032		$21,300	$2,901	$7,431	$31,632
2032-2033		$21,300	$2,901	$7,431	$31,632
2033-2034		$21,300	-	-	$21,300
	Totals:	**$426,000**	**$58,016**	**$148,617**	**$632,634**
	Averages:	**$21,300**	**$2,901**	**$7,431**	**$27,506**

Assumptions:

1. Data sources include the 2021-2022 mil rate/commitment reported by the City, Androscoggin County's FY2022 Budget reflecting Tax Allocation, the State Treasurer's Office Municipal Revenue Sharing projections for FY2022, published 07/02/2021, and the Maine Department of Education 01/18/22 2022-2023 ED 279 form for Auburn Schools. Based on these projections, the City of Auburn loses apprroximately 44 cents out of every new tax dollar to subsidy losses and increased County taxes.

2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.

3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.

4. Assumes the assessment ratio in the City is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.

5. The projections above assume that no tax increment financing district is put in place, thus the mil rate is reduced by the influx of new value in the City. This analysis factors in tax shift impacts resulting from the project's new assessed value into future commitments and mil rate calculations to arrive at projected property tax payments.

Exhibit D

(Notice of Public Hearing)

Exhibit D

NOTICE OF PUBLIC HEARING

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Regarding
Approval of the Municipal Development and Tax Increment Financing District known as:

"TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Auburn will hold a public hearing on

March 7, 2022
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the creation of a municipal development and tax increment financing district known as the TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District (the "District") and the adoption of the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The TIF #26 North River Road Apartments Municipal Development Tax Increment Financing District is comprised of approximately 3.32 acres and is located at 273 North River Road across from Northern Avenue Heights. The proposed district will consist of three apartment buildings encompassing approximately 36 units.

A copy of the proposed Development Program materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at https://www.auburnmaine.gov/or one can call *207-333-6601* during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk. Written comments will be accepted until 4:00 PM on March 7, 2022.

Exhibit E

(Minutes of Public Hearing)

Exhibit F

(City Council Order)

City Council Order

Approving the TIF #26 North River Road Apartments Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the TIF #26 North River Road Apartments Municipal Tax Increment Financing District ("the District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region; to improve and broaden the tax base of the City; and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, adopting and implementing the District and the Development Program will help to improve and broaden the tax base in the City and improve the economy of the City and the State of Maine; and

WHEREAS, the City has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

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

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

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

Section 1. The City hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for commercial uses as defined in 30-A M.R.S.A. §5223(3); and

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

(c) The aggregate original assessed value of the District plus the original assessed value of all other existing tax increment financing districts in the City does not exceed five percent (5%) of the total value of taxable property within the City as of April 1, 2021; and

(d) The City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined

that any such adverse economic effect on or detriment to any existing business is outweighed by the contribution expected to be made through the District and the adoption of the Development Program. The projects and improvements described in the Development Program will contribute to the economic growth and well-being of the City and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, including employment opportunities, a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the District and adopts the Development Program all as more particularly described in the Development Program presented to the City Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of increased assessed value to be retained in the District as captured assessed value and the term for which it will be retained is hereby established as set forth in the Development Program.

Section 4. The City Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to DECD for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226(2).

Section 5. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District and adoption of the Development Program by DECD, without requirement of any further action by the City, the City Council, or any other party.

Section 6. The City Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions and corrections to the Development Program or to the scope, cost or description of the public improvements to be financed with tax increment revenues generated by the District as described in the Development Program, and to the exhibits to the Development Program, as the City Manager deems reasonably necessary or convenient, necessary in order to facilitate the process for review and approval of the District or the Development Program by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 7. This Order shall take effect immediately upon adoption.

Approved March 7, 2022, by the City Council, at a meeting duly convened and conducted in Auburn, Maine.

Exhibit G

(Statutory Requirements and Thresholds Form)

STATUTORY REQUIREMENTS AND THRESHOLDS

TIF #26 NORTH RIVER ROAD APARTMENTS MUNICIPAL TAX INCREMENT FINANCING DISTRICT

41SECTION A. | Acreage Caps		
1. Total **municipal** acreage;	41,430	
2. Acreage of **proposed** Municipal TIF District;	3.32	
3. **Downtown-designation**[1] acres in proposed Municipal TIF District;	0	
4. **Transit-Oriented Development**[2] acres in proposed Municipal TIF District;	0	
5. **Total acreage [=A2-A3-A4]** of proposed Municipal TIF District counted toward 2% limit;	3.32	
6. **Percentage [=A5÷A1]** of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	.008%	
7. **Total acreage** of all existing/proposed Municipal TIF districts in municipality **including** Municipal Affordable Housing Development districts:[3] #6 Proctor & Gamble (Tambrands II)/84 acres #9 Mall Area/57.74 acres #10 Downtown Omnibus/264.18 acres #12 Auburn Industrial Park/144 acres #13 Retail Development/29.67 acres #14 Mall Revitalization/38.91 #15 Mall Area Hotel/1.5 acres #16 Webster School AHTIF/1.4 acres #18 Norway Savings Bank Arena/8.53 acres #19 Hartt Transportation Industrial Park/43 acres #20 62 Spring Street/.81 #21 477 Minot Ave/3.83 #22 Hampshire Street/1.01 #23 Memory Care/8.61 #24 Gracelawn/2.92 #25 FutureGuard/26.2 #26 North River Road Apartments/3.32	Existing	716.31
	Proposed	3.32
	Total:	719.63

30-A § 5223(3) EXEMPTIONS[4]	
8. Acreage of an existing/proposed **Downtown** Municipal TIF district;	264.18
9. Acreage of all existing/proposed **Transit-Oriented Development** Municipal TIF districts:	0
10. Acreage of all existing/proposed **Community Wind Power** Municipal TIF districts:	0
11. Acreage in all existing/proposed Municipal TIF districts **common to**[5] Pine Tree Development Zones per 30-A § 5250-I (14)(A) **excluding** any such acreage also factored in Exemptions 8-10 above:	0
12. **Total acreage [=A7-A8-A9-A10-A11]** of all existing/proposed Municipal TIF districts counted toward 5% limit;	455.45
13. **Percentage of total acreage [=A12÷A1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).	1.099%

14. **Real property** in proposed Municipal TIF District that is:	ACRES	% **[=Acres÷A2]**
a. A blighted area;	0	0
b. In need of rehabilitation, redevelopment or conservation;	0	0
c. Suitable for commercial or arts district uses.	3.32	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

*The acreages for existing TIF districts are consistent with existing approved TIF development program documentation and do not necessarily represent revisions that might result in time to acreages from updated surveys and assessing software information.

[1] Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).
[2] For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.
[3] For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.
[4] Downtown/TOD overlap nets single acreage/valuation caps exemption.
[5] PTDZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS

TIF #26 NORTH RIVER ROAD APARTMENTS MUNICIPAL TAX INCREMENT FINANCING DISTRICT

SECTION B. | Valuation Cap

1.	**Total TAXABLE** municipal valuation—use most recent April 1;		$1,973,954,411
2.	**Taxable Original Assessed Value (OAV)** of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;		$60,300
3.	**Taxable OAV of all** existing/proposed Municipal TIF districts in municipality **excluding** Municipal Affordable Housing Development districts: #6 Proctor & Gamble (Tambrands II)/$520,900 #9 Mall Area/$5,956,300 #10 Downtown Omnibus/$83,168,800 #12 Auburn Industrial Park/$334,200 #13 Retail Development/$5,425,400 #14 Mall Revitalization/$11,328,400 #15 Mall Area Hotel/$4,900 #18 Norway Savings Bank Arena/$1,564,100 #19 Hartt Transportation Center/$1,278,600 #20 62 Spring Street/$474,300 #23 Memory Care/$327,100 #24 Gracelawn/$262,600 #25 FutureGuard/$3,838,700 #26 North River Road Apartments/$60,300	Existing Proposed Total:	$114,484,300 $60,300 $114,544,600

30-A § 5223(3) EXEMPTIONS

4.	**Taxable OAV** of an existing/proposed **Downtown** Municipal TIF district;	$83,168,800
5.	**Taxable OAV** of all existing/proposed **Transit-Oriented Development** Municipal TIF districts: District Name/OAV District Name/OAV	**0**
6.	**Taxable OAV** of all existing/proposed **Community Wind Power** Municipal TIF districts: District Name/OAV District Name/OAV	0
7.	**Taxable OAV** of all existing/proposed **Single Taxpayer/High Valuation**[6] Municipal TIF districts: District Name/OAV District Name/OAV	0
8.	**Taxable OAV** in all existing/proposed Municipal TIF districts **common to** Pine Tree Development Zones per 30-A § 5250-I (14)(A) **excluding** any such OAV also factored in Exemptions 4-7 above: District Name/OAV District Name/OAV District Name/OAV District Name/OAV District Name/OAV District Name/OAV	0
9.	**Total taxable OAV [=B3-B4-B5-B6-B7-B8]** of all existing/proposed Municipal TIF districts counted toward 5% limit;	$31,375,800
10.	**Percentage of total taxable OAV [=B9÷B1]** of all existing/proposed Municipal TIF districts (CANNOT EXCEED 5%).	1.589%

COMPLETED BY			
PRINT NAME	Shana Cook Mueller		
SIGNATURE	Shana Cook Mueller	DATE	2/16/2022

If this form has not be completed by the municipal or plantation assessor, the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the LAV for this District.

PRINT NAME	Karen Scammon, CMA-4, City Assessor		
SIGNATURE	Karen Scammon	DATE	2-10-22

[6] For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

Exhibit D

NOTICE OF PUBLIC HEARING

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Regarding
Approval of the Municipal Development and Tax Increment Financing District known as:

"TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Auburn will hold a public hearing on

March 7, 2022
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the creation of a municipal development and tax increment financing district known as the TIF #26 North River Road Apartments Municipal Development and Tax Increment Financing District (the "District") and the adoption of the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The TIF #26 North River Road Apartments Municipal Development Tax Increment Financing District is comprised of approximately 3.32 acres and is located at 273 North River Road across from Northern Avenue Heights. The proposed district will consist of three apartment buildings encompassing approximately 36 units.

A copy of the proposed Development Program materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at https://www.auburnmaine.gov/or one can call *207-333-6601* during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk. Written comments will be accepted until 4:00 PM on March 7, 2022.

ORDER 35-03072022

City Council Order

IN CITY COUNCIL

ORDERED,

Approving the TIF #26 North River Road Apartments Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the TIF #26 North River Road Apartments Municipal Tax Increment Financing District ("the District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region; to improve and broaden the tax base of the City; and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, adopting and implementing the District and the Development Program will help to improve and broaden the tax base in the City and improve the economy of the City and the State of Maine; and

WHEREAS, the City has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

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

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

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

Section 1. The City hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for

City Council Order

commercial uses as defined in 30-A M.R.S.A. §5223(3); and

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

(c) The aggregate original assessed value of the District plus the original assessed value of all other existing tax increment financing districts in the City does not exceed five percent (5%) of the total value of taxable property within the City as of April 1, 2021; and

(d) The City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined

that any such adverse economic effect on or detriment to any existing business is outweighed by the contribution expected to be made through the District and the adoption of the Development Program. The projects and improvements described in the Development Program will contribute to the economic growth .and well-being of the City and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, including employment opportunities, a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the District and adopts the Development Program all as more particularly described in the Development Program presented to the City Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of increased assessed value to be retained in the District as captured assessed value and the term for which it will be retained is hereby established as set forth in the Development Program.

Section 4. The City Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to DECO for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226(2).

Section 5. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District and adoption of the Development Program by DECO, without requirement of any further action by the City, the City Council, or any other party.

Section 6. The City Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions and corrections to the Development Program or to the

City Council Order

scope, cost or description of the public improvements to be financed with tax increment revenues generated by the District as described in the Development Program, and to the exhibits to the Development Program, as the City Manager deems reasonably necessary or convenient, necessary in order to facilitate the process for review and approval of the District or the Development Program by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 7. This Order shall take effect immediately upon adoption.

Approved March 7, 2022, by the City Council, at a meeting duly convened and conducted in Auburn, Maine.

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: March 7, 2022 **Ordinance:** 08-03072022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Zoning Considerations from 2021 Updated Comprehensive Plan-Gracelawn Area Zoning change AG/RP to GB and Lake Auburn Watershed Overlay District.

Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. The Comprehensive Plan recommends adjusting the zoning boundary to allow for reuse of the Gracelawn Gravel Pits for development where they no longer drain to Lake Auburn and shows about 111 acres proposed for the change. The Lake Auburn Study analyzed this further and recommends removing 148 acres from the Watershed based on topography and ground water data. Approximately 37 acres are not shown as Commercial Development District (CDD) in approved FLU mapping because the approximate boundaries for the conceptual change were conservative and were developed before the Lake Auburn Study was completed. We knew most of the land was not draining to the lake, but the study identified a larger area draining away from the lake and the council approved utilizing the Auburn Lake Watershed Study as part of the Comprehensive Plan Updates. In that study they suggested moving the watershed boundary to match the actual drainage area boundary. From that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary for a total of 148 +/- acres. **In keeping with existing zoning staff is suggesting that this area be changed to General Business (GB) as recommended by the PB on February 8th.**

---

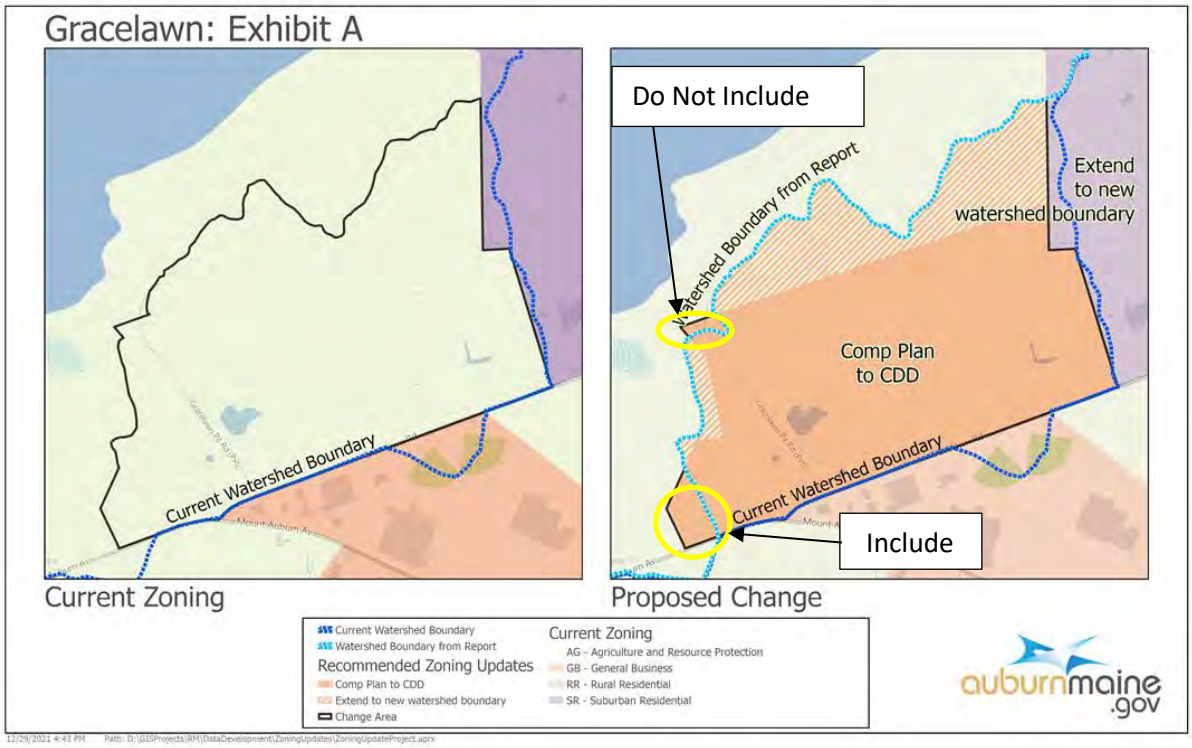
a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to General Business District (GB). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended. (See attached a.)

b. The current proposal also includes an adjustment of the Lake Auburn Watershed District Zoning Overlay to match what science has shown us to be the actual drainage boundary to the physical Lake Auburn Watershed. The revised boundary is shown as a blue line in the map on the previous page titled Proposed Change. A copy of the Lake Auburn watershed Study Pages recommending this change is attached. The Lake Auburn Watershed Boundary is defined in our ordinance as follows:

Sec. 60-951. Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

The district, by definition, should match the actual drainage boundaries and we now have information that confirms that the existing Watershed District Map includes land that does not drain to the Lake



Below is an environmental buildout look of what is existing now vs. a commercial mixed-use development for the 148-acre Gracelawn site. (Ref. MaineDEP Urban Runoff BMPs Calculation Sheet)

Overall annual pollutant load and runoff volume before and after BMPs				
Pollutant	Pre-BMP	Reduction	After BMP	Percent Reduction
TN (lb/yr)	727.33	363.66	363.66	50%
TP (lb/yr)	72.73	36.37	36.37	50%
BOD (lb/yr)	3,230.77	2,220.85	1,009.92	69%
Sediment (lb/yr)	27,974.09	23,752.65	4,221.44	85%
Flow Volume (ac-ft/yr)	138.50	119.79	18.72	86%

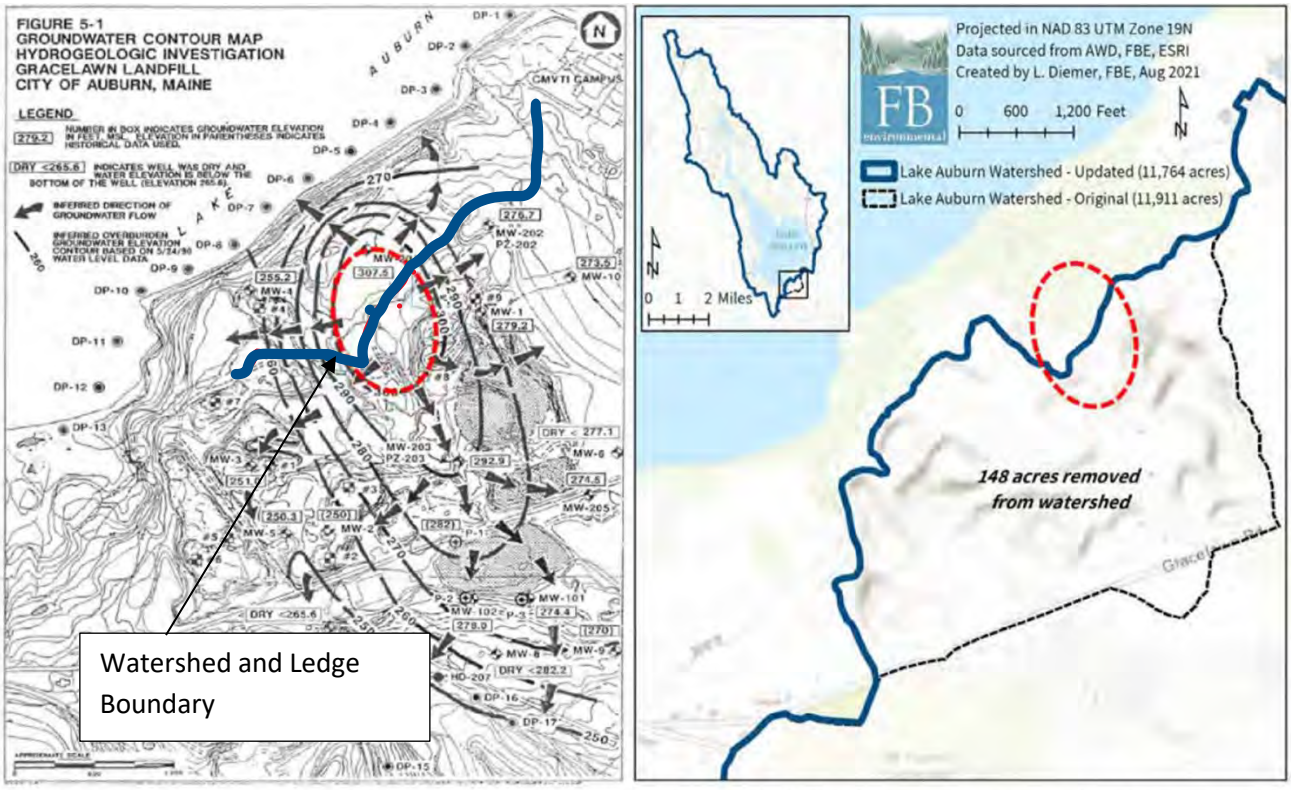


Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now the 2020 Comprehensive Plan recommend expanding the Commercial zoning in this area to include the area proposed on the map with a minor difference to follow existing property boundaries. This can be accomplished without creating a new district by using the existing General Business Zone.
2. The two small areas inside the watershed will be required to drain internally (out of the watershed) or meet phosphorus control standards.
3. The current Boundary of the Lake Auburn Watershed District Overlay Zoning Boundary has been shown to be different than the actual drainage boundary based on the Lake Auburn Watershed

Study's analysis of topography and groundwater movement in the area and should be adjusted as proposed to match the physical drainage boundaries of the watershed.

4. The proposal can be implemented without detriment to Lake Auburn and is recommended by the Comprehensive Plan.
5. Significant environmental improvements with the site being converted from a gravel pit to a mixed-use development site based on land use runoff for event mean concentration (EMC) values with BMPs implementation.

Staff Recommended Action: Staff suggests council discuss the proposals and hold a Public Hearing on March 7, 2022. Staff then recommends that the Council take a vote on the following, 1: That the Lake Auburn Watershed Overlay Zoning Boundary be adjusted as shown in the Lake Auburn Watershed Study(and on the attached Map); and 2. That the General Business Boundary be adjusted to include the 148 acres shown on the map based on the following findings to include the front parcel that will drain internally based on the new proposed plan submitted by Stoneybrook Consultants.

Previous Meetings and History: January 3rd Council Discussion Initiation, January 11, 2021 Planning Board Workshop, February 8th, 2022 Planning Board, Public Hearing (favorable recommendation 7-0)

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Lake Auburn Study Excerpts, full report here:
https://www.auburnmaine.gov/CMSContent/City_Manager/LakeAuburn_FinalReport%20UPDATED.pdf

3 Analysis of Environmental Impacts

This section analyzes the environmental impact of various development and water quality scenarios for the Lake Auburn watershed. The analysis uses a well-documented watershed model paired with in-lake empirical formulas to predict water quality outcomes under each future scenario. This section also reviews recreational threats and opportunities, current forestry practices, and LAWPC's land conservation strategy.

Photo Credit: Sun Journal

Water Quality Modeling

Boundary Change

Based on hydrogeologic studies (E.C. Jordan Co., 1990; Woodard & Curran, 1995; Summit Environmental Consultants, Inc., 2007) of the sand and gravel operations and former City of Auburn landfill along Gracelawn Road, a portion of the existing watershed area was determined to flow away from Lake Auburn in a southerly and easterly direction (Figure 3-1). Groundwater flow studies around the sand and gravel operations showed groundwater flowing south to an unnamed brook in a ravine just south of Mt. Auburn Avenue that flows to the Androscoggin River. Previous analyses of groundwater monitoring well data around the landfill showed low and diminishing levels of leachate indicators on the lakeside compared to increasing levels on the south side away from the lake. The combined properties with sand and gravel operations owned by CLH & Sons, Inc. and Get Er Done, LLC cover 115 acres in the southern portion of the Lake Auburn watershed and are bounded to the north by Lake Auburn and a LAWPC-owned parcel, to the east by a Central Maine Community College-owned parcel, to the south by Gracelawn Road, and to the west by a LAWPC-owned parcel. Based on review of the groundwater contours and 2-ft surface contours, the proposed watershed boundary reduces the watershed area by 148 acres, possibly reducing the original CEI, Inc. (2010) total phosphorus load to Lake Auburn by about 44 kg/yr.

Baseline Model Run

The baseline or "existing conditions" model run was performed using the revised version of the ArcView Generalized Watershed Loading Function (AVGWLF): MapWindow Version 4.6.602 and MapShed Version 1.5.1, available online through the Stroud Water Research Center's Wiki-Watershed. Following MapShed documentation, model files were prepared for input and processing to generate watershed nutrient loading estimates by sub-basin. These sub-basin nutrient loading estimates were run through a simplified version of the Lake Loading Response Model (LLRM) (AECOM, 2009) to account for sub-basin water and nutrient load attenuation, other water and/or nutrient sources such as atmospheric deposition, internal loading, and septic systems, and in-lake factors such as pan evaporation and annual withdrawal for drinking water. The net water and nutrient loads, along with calculated lake characteristics, were used in several well-known empirical formulas to estimate the in-lake total phosphorus concentration of Lake Auburn.

A summary of inputs and assumptions is provided below. Refer to supplemental model documentation for more detail (available through the City of Auburn).

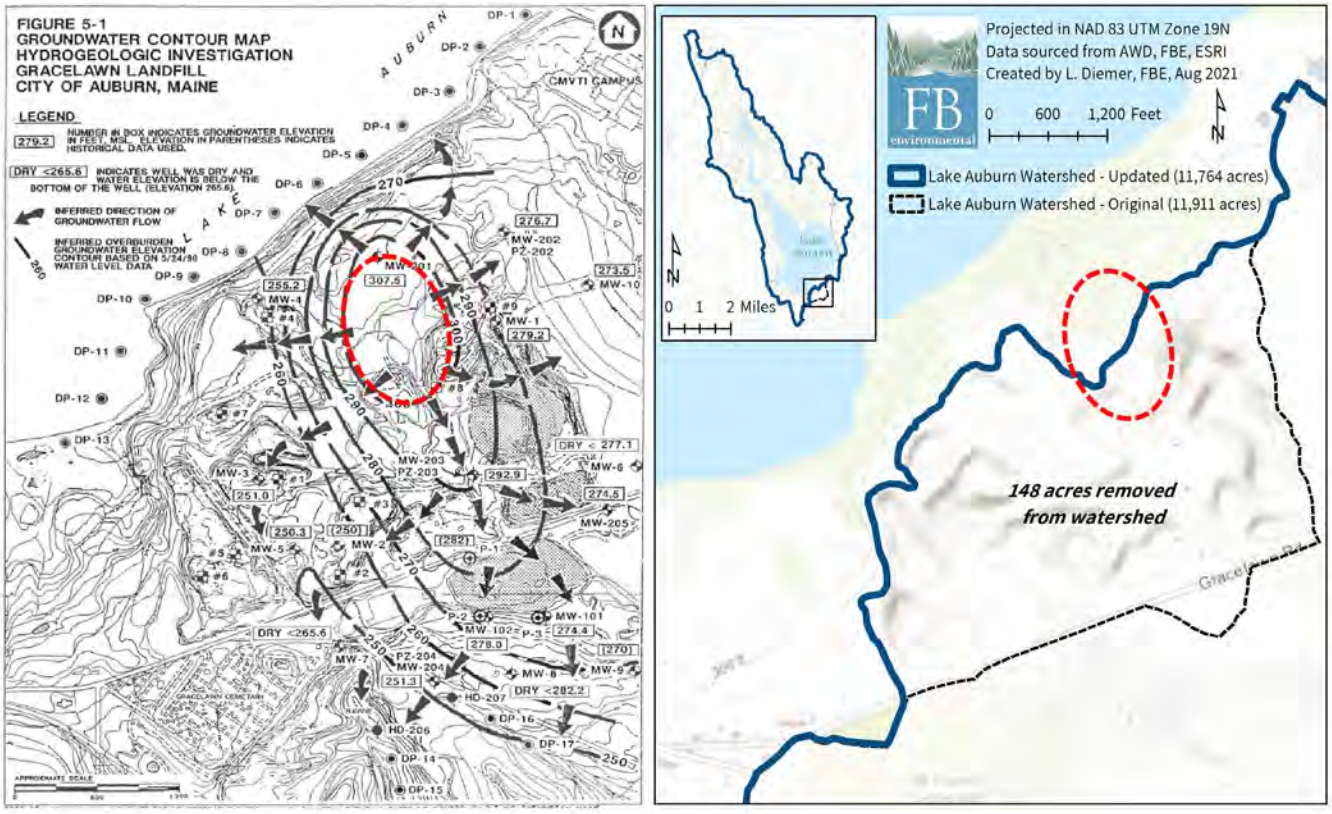


Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

5 Findings, Synthesis, & Holistic Recommendations

This section draws out key conclusions from the report's preceding Sections 2, 3, and 4 which contain our analyses of the regulatory, environmental, and economic impacts of Lake Auburn as a public drinking water supply. Synthesis and further discussion, along with consideration of examples from comparable water supplies, are also provided for several key conclusions that recur throughout the preceding sections. Lastly, this section puts forth holistic recommendations for the City of Auburn, as well as the broader community of stakeholders, with the aim of promoting water supply protection efforts and initiatives that preserve or improve the balance among regulatory, environmental, and economic impacts.

Photo Credit: Sun Journal

Key Findings

Section 2, Analysis of Regulatory Impacts

We found that the regulatory framework for the protection of Lake Auburn as a water supply can be revised to be more clearly defined, better aligned with the best available science and State and regional norms, and more fairly applied across different land uses and activities. Specific recommendations are described in depth in Section 2, and direct ordinance language revisions are provided in a separate document to the City. A summary of our recommended revisions is outlined below:

- Revise the septic system requirements of the Lake Auburn Watershed Overlay District Ordinance to incorporate the Maine Subsurface Wastewater Disposal Rules, including provisions that allow for mounded leach fields and other State-approved alternative designs where there is not a native, in-situ, 36-inch vertical separation between the bottom of the organic horizon and the bedrock, water table, or other restrictive layer. Refer to Appendix 1.
- Revise the Phosphorus Control Ordinance to clarify that the limit of a project area does not apply to a given land use but to a demarcated limit of disturbance, such that all disturbance within that area is required to meet the erosion and sedimentation controls and other phosphorus controls under a plan required by the Phosphorus Control Ordinance.
- Require timber harvest and agricultural activities to meet the same requirements as other land uses under the Phosphorus Control Ordinance. Currently, timber management and harvesting must be conducted in accordance with a forest management plan prepared and supervised by a registered forester, while agriculture must be conducted in accordance with a soil and water conservation plan approved by the ACSWCD, making these uses effectively exempt from City oversight. Removing the exemption and requiring timber and agriculture to meet the same erosion control standards under the Phosphorus Control Ordinance would ensure that water quality protection is a central feature of any timber harvesting or agricultural activities in the Lake Auburn watershed.
- Develop a clear set of standards for farm management that will be consistently applied to farms in the watershed for the purpose of controlling erosion and limiting the delivery of excess phosphorus from the farm practices to Lake Auburn. One approach is to set a concrete limit on the amount of agricultural activities that are phosphorus-intensive (e.g., commercial raising of livestock, fertilized row crops, manure spreading). It is important to note that water quality is predicted to be much worse across all future scenarios if agricultural land use does not decline as predicted.
- Adjust the agricultural buffer strip requirement in the Lake Auburn Watershed Overlay District Ordinance to improve its effectiveness. Recommended adjustments include widening the buffer to 75 or 100 feet, requiring the buffer to be vegetated, and requiring the buffer to be located downgradient of all agricultural activities, perpendicular to the direction of overland flow, in all areas of the watershed (as opposed to requiring buffers only for agricultural activities that are adjacent to surface water).
- Update the Lake Auburn Watershed Overlay District Ordinance to reflect the revised watershed boundary, reducing the existing watershed boundary by 148 acres in the Gracelawn Road area.
- Incorporate low impact development requirements for single family residential development on the 1- and 3-acre lots allowed in the Lake Auburn watershed by way of referencing the Maine Stormwater Management Design Manual, Volume 2. The use of low impact development can help to limit the impacts of stormwater runoff and associated erosion and pollutants from sites. The standards as they apply to a water supply watershed are presented below:
  - » Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, and grading).
  - » A minimum natural vegetated buffer must be maintained downgradient of all developed areas on the lot. This buffer shall be 50 feet wide if naturally forested or 75 feet wide if maintained as a natural meadow.
  - » No more than 7,500 square feet of impervious cover is located on the property.
  - » A minimum of 40 percent of the lot area must be maintained as an undisturbed natural area. If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.

Section 3, Analysis of Environmental Impacts

We found that Lake Auburn water quality in the last decade had reached a tipping point, whereby nuisance algae blooms were becoming more frequent and were threatening the filtration waiver. The partial alum treatment conducted in 2019 significantly reduced the

in-column total phosphorus concentration and locked in a portion of the sediment-bound phosphorus, effectively resetting the system and giving the water districts additional time to ramp up watershed protection and nutrient reduction efforts. We also found that projecting current status quo conditions into the future (i.e., the "Business As Usual" scenario) resulted in Lake Auburn once again reaching a tipping point by 2100, even with the assumption that the in-column total phosphorus concentration and sediment-bound phosphorus would be repeatedly reset by an alum treatment every 10 years (see discussion in Section 2 about this assumption for further context). Modeled predictions for the other future scenarios where the regulatory framework is adjusted to allow more development in the Auburn portion of the watershed results in greater water quality degradation and a higher risk of blooms, ultimately triggering the need for a filtration plant in the "Maximum Development Allowing Building on LAWPC Lands" scenario. The use of low impact development techniques has a small positive effect on water quality in these future scenarios but does not ameliorate the high risk of frequent algae blooms. Taken together, the future scenarios show that Auburn alone does not have the land use control tools to stave off water quality decline in Lake Auburn; sustained collaboration with the upper watershed municipalities is essential to achieve the needed phosphorus load reductions over the remainder of the 21st century.

Section 4, Analysis of Economic Impacts

We found that expanding development in the Lake Auburn watershed provided minimal overall net economic benefit when accounting for the benefits and costs of all affected stakeholders, including the City of Lewiston who would otherwise carry the additional costs of watershed protection and water treatment through the existing cost sharing agreement in order for the City of Auburn to benefit from increased property tax revenues. In other words, the increased net benefits to the City of Auburn would be mostly or entirely offset by increased net costs to AWD and LWD customers, resulting in negligible net economic benefit to the communities served by Lake Auburn. This reallocation of benefits and costs among all affected stakeholders for the future scenarios highlights important questions of equity and fairness, which were raised during the process of producing this report and conversing with key community representatives. We emphasize that the costs associated with addressing declining water quality are costs to all water users and that the risk of incurred costs that are higher than our conservative estimates is very real.

Synthesis & Discussion

In summary, our analyses determined that Lake Auburn is nearing its assimilative capacity for nutrient load (even with the partial alum treatment) and cannot handle much more additional nutrient load without diminishing water quality and its associated benefits. We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed. Instead, we recommend that low impact development strategies are incorporated into existing zoning standards and required for all future development and redevelopment projects in the Auburn portion of the watershed. We also recommend that the other four headwater towns of Turner, Minot, Hebron, and Buckfield also incorporate low impact development requirements on future development projects. Lake Auburn cannot maintain excellent water quality in the future without the full participation of the other watershed towns. More development cannot be allowed in the Auburn portion of the watershed even with low impact development requirements implemented in Auburn. Even if reduced development through conservation or other means is achieved in the headwater towns, any additional development in Auburn has an outsized negative impact since its drainage area goes directly to the lake. It is also important to understand that a filtration plant does not allow for greater development of the watershed because the filtration plant only treats extracted drinking water for the consumer and does not treat in-lake water quality for recreation and for meeting State criteria for designated uses.

> We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed.

Below, we present further discussion on three important topics: regulation of septic systems, environmental risk and uncertainty, and comparable water utilities.

Regulation of septic systems: The regulatory and environmental analyses examined multiple issues surrounding septic systems and their contributions of phosphorus to Lake Auburn. At first glance, there may appear to be a contradiction between 1) the recommended ordinance revision from the regulatory analysis (Section 2) that the septic design standard should be revised in such a way that will allow previously non-buildable sites to become buildable and 2) the conclusion from the environmental analysis (Section 3) that Lake Auburn will arrive at a tipping point of declining water quality by 2100 even in the absence of any pro-development changes (i.e.,

the "Business As Usual" scenario). Indeed, our buildout analysis determined that more than 100 additional new homes could be built in the watershed if the septic system siting requirement for 36 inches of suitable in-situ soil were revised.

To address this apparent contradiction, we argue that the septic design standard should be judged not only by its adherence to the best available science but by its simplicity, straightforwardness, and fairness. The key questions are: does the existing septic design standard accomplish its stated purpose of regulating septic systems effectively for water quality protection, or is its water quality benefit primarily in its de facto restriction of buildable areas in the watershed? Are there improvements that could be made to achieve the stated goal? With our recommended revision, we aim to have the septic design standard achieve its stated purpose of effectively regulating both new septic system construction and replacement/reconstruction of existing septic systems as they age out, so that septic systems with alternative technologies and innovative phosphorus controls can be phased in. Restrictions on developable land are better left to base and resource protection zoning than to septic design standards.

The project team also noted in conversations with multiple Lake Auburn stakeholders a concern about an unintended consequence of the requirement in the current ordinance for 36 inches of suitable in-situ soil to site a septic system. The concern is that this requirement for deep, native soils has led to the preferential siting of some septic systems on deep formations of sand and gravel aquifer, which provide some of the only suitable sites in the watershed with the requisite depth to bedrock, water table, or other restrictive layer. While our team did not conduct any field assessments, witness this condition firsthand, or review any documentation of this condition, we agree with the premise that these sand and gravel formations should not be considered suitable sites for septic systems, at least without the importation of suitable reactive soils for nutrient and pathogen processing that the recommended ordinance revisions would allow. Adopting the Maine State standards while preserving the minimum 36-inch vertical separation would alleviate the potential for this unintended consequence.

Environmental risk and uncertainty: The risk of deteriorating water quality threatening Lake Auburn's ability to remain a high quality public drinking water supply is a throughline of this entire study. In its simplest terms, risk is the probability of a negative outcome, though the severity of the negative outcome in question is usually included when evaluating that risk. A high risk of a minor inconvenience (e.g., the risk of getting caught in traffic if leaving downtown Boston by car at 5:00 PM on a business day) requires minimal forethought, while a low risk of major damage (e.g., the risk of a flood destroying private or public infrastructure from a hurricane or Nor'easter) requires extensive planning and preparation. Uncertainty is the degree to which the risk cannot be quantified, due to a number of factors, such as insufficient data about existing conditions, insufficient predictive models for the future, and inherent randomness in nature. It is difficult but possible to predict with reasonably low uncertainty the risk of an outcome that has occurred before (e.g., an algae bloom in Lake Auburn). It gets much more difficult to predict the risk of a particular outcome (e.g., a filtration waiver violation in Lake Auburn) if that outcome has never occurred before, because the data and predictive models have not been tested against that outcome in the real world. In this situation, the uncertainty surrounding such an outcome remains relatively high even with excellent data and predictive models.

This study examined Lake Auburn's risk of negative water quality outcomes now and in the future under various scenarios, though with considerable uncertainty due to a number of confounding or unknown factors. However, we can say with certainty that all additional development raises the risk of water quality degradation, whether due to phosphorus loading, pathogens from subsurface wastewater disposal, emerging contaminants such as pharmaceuticals and personal care products, etc. Even if the increased risk resulting from any individual parcel-scale decision is small, the aggregate impact of thousands of individual decisions over the coming decades is what matters.

From a risk management perspective, the entire spectrum of outcomes should at least be understood, including the least probable, most negative outcome (i.e., the worst-case scenario). The worst-case scenario would be that Lake Auburn's water quality would deteriorate past the point of useful public drinking water supply. Phosphorus enrichment to the point of having uncontrolled algae blooms every year, with cyanobacteria and associated cyanotoxins, would be the most likely condition of such a worst-case scenario. If this unlikely but highly undesirable scenario were to occur, Auburn and Lewiston would be forced to consider other alternatives that previously would not have been seriously deliberated, such as drawing upon the Androscoggin River for drinking water. The cost of this worst-case scenario was not evaluated in our economic analysis because our environmental models do not predict conditions to deteriorate to that degree under the chosen scenarios. But in managing environmental risk, this unlikely but highly undesirable outcome should be included in the overall picture of Lake Auburn's possible future.

Comparable water utilities: Comparison of Lake Auburn and LAWPC/AWD/LWD with other water sources and utilities is illustrative of their strengths, weaknesses, and projected future needs (Table 5-1). Lake Auburn's key

Table 5-1. Lake Auburn and comparable water supply lakes and ponds in Maine.

Waterbody	Water Utility	Waterbody Surface Area (acres)	Watershed Area (acres)	Communities Served	Watershed Communities	Filtration Waiver?
Lake Auburn	Auburn Water District	2,277	9,651	Auburn, Lewiston, Poland	Auburn, Turner, Minot, Hebron, Buckfield	Yes
China Lake	Kennebec Water District	3,939	16,704	Waterville, Winslow, Fairfield, Benton, Vassalboro, Maine Water Company - Oakland	Vassalboro, China, Albion	No
Sebago Lake	Portland Water District	29,992	234,000	Portland, South Portland, Westbrook, Falmouth, Cumberland, Cape Elizabeth, Gorham, Windham, Scarborough, Raymond	24 municipalities (Androscoggin, Cumberland, Oxford counties)	Yes
Floods Pond	Bangor Water	635	4,600	Bangor, Eddington, Hampden, Hermon, Orrington, Clifton, Veazie, Hampden Water District	Otis, Clifton	Yes

comparables are China Lake, which supplies the Kennebec Water District (KWD) serving Waterville and surrounding communities; Sebago Lake, supplying the Portland Water District (PWD); and Floods Pond, used by Bangor Water, an independent water utility, to serve Bangor and surrounding communities.

China Lake is nearly double the size of Lake Auburn, with a 3,939-acre lake surface and a nearly 17,000-acre watershed, but the lake divides into two basins nearly equal in size, the west basin and the east basin. The KWD has a water supply in-take located in the west basin, where the shoreline is mostly under KWD control and managed as water supply protection land. The east basin is nearly all under private ownership and has much more shoreline development. The China Lake Outlet Stream, the only outlet of the entire lake, is in the west basin at the dam in Vassalboro. Considered by itself, the west basin is very similar to Lake Auburn in terms of shoreline and watershed management - mostly forested, under public water utility control, with universal restrictions on swimming and bodily contact but with limited recreational fishing allowed. Like Lake Auburn, China Lake serves one community within the lake watershed (Vassalboro) and several communities outside its watershed (Waterville, Winslow, Fairfield, Benton, and the Maine Water Company in Oakland), while the upper watershed towns of China and Albion do not use KWD water.

The key difference between China Lake and Lake Auburn is that China Lake has experienced algae blooms nearly every summer since the 1980s. Blooms were more severe through the 1980s and 1990s, and since the early 2000s, there have been some trends of improvement, including coldwater fish species survival. Since 1993, KWD has filtered the drinking water supply using a granular activated carbon filtration system capable of producing up to 12 MGD, though current demand stands at 3 MGD. The plant was constructed in the early 1990s for a cost of roughly $25 million. According to KWD Superintendent Roger Crouse, P.E., if water quality were to decline significantly from its current stable state, such as increased algae blooms and turbidity, KWD would have to change their operations to handle the lower quality in-take water (R. Crouse, pers. comm). The carbon filters would need to be backwashed more frequently, and the additional backwash water would need to be accommodated somehow in the existing lagoons or else the lagoons would need to be expanded at significant cost. The alum dose used to pretreat the water before filtration would also need to be raised. The key takeaway is that decreased in-take water quality at a filtration plant taxes the system, raises the volume of the waste stream, and adds significant cost and complexity to the treatment process, meaning that water supply managers cannot forgo water quality protection efforts simply because a filtration system is in place.

Sebago Lake is the public drinking water supply source used by the PWD to supply Portland, South Portland, Westbrook, and surrounding Greater Portland communities - roughly one sixth of Maine's population. The lake is roughly 10 times the size of Lake Auburn, with a surface area of nearly 30,000 acres and a watershed area of 235,000 acres. Sebago is the deepest lake in New England at 316 feet at its deepest point. Like Lake Auburn, Sebago Lake qualifies for a filtration waiver owing to a history of excellent water quality. The existing disinfection plant has a production capacity of 54 MGD and currently experiences a demand of 22 MGD. With such a large water supply lake, the capacity of the plant will be exceeded long before any concern of safe yield from the lake arises.

Land use in the Sebago Lake watershed is largely composed of private forestlands. The PWD owns 2,500 acres (or about 1% of the watershed), with 800 acres of mostly shoreland designated as 'No Trespassing' and 1,700 acres of land designated as free for public access for many forms of recreation. Another 28,000 acres are owned or

managed by land trusts. The water supply in-take is at the far southern extent of the lake in the Lower Bay. A 3,000-foot 'No Trespassing' zone surrounds the in-take, and no bodily contact is allowed within two miles of the in-take. Boating, fishing, snowmobiling, and ice fishing are allowed within the 2-mile limit but not within the 3,000-foot limit. Overall, the restricted area is very similar in size and structure to that of Lake Auburn (with the exception that the on-ice activities are not allowed on Lake Auburn). Taking Sebago Lake as a whole, however, the major difference with Lake Auburn is that Sebago's Lower Bay comprises a small fraction of the overall lake, the rest of which has no special swimming or boating restrictions for water supply.

Sebago Lake and its watershed are located many miles away from the service areas of the PWD. This geographical separation means that the communities served by PWD have no ability to enact land use controls on the lakeshore or in the watershed, unlike the situation in Lake Auburn where the City of Auburn can use its zoning ordinances to enact protections for the shorefront and watershed. It is likely that this lack of control over Sebago Lake's upper watershed has spurred the PWD to focus on cooperation with land trusts and private forestland owners to conserve tracts of land. As an example, PWD Environmental Services Manager Paul Hunt told the project team that the PWD is part of a partnership, Sebago Clean Waters, that seeks to raise the total amount of land conserved (and managed at least partly for water supply protection) from the current 12% of the watershed to 25% in the next 15 years (P. Hunt, pers. comm).

In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Floods Pond in Otis, Maine has been the public water supply source for Bangor Water, the independent water district that serves Bangor and surrounding communities since 1959. At 635 acres of surface area, surrounded by a 4,600-acre watershed in Otis and neighboring Clifton, Floods Pond is less than half the size of Lake Auburn. Maximum depth is similar at 133 feet. Like Lake Auburn, Floods Pond also qualifies for a filtration waiver owing to its historically excellent water quality.

Land use in the Floods Pond watershed is largely controlled by Bangor Water, which owns or holds landowner agreements to manage 4,500 acres or more than 99% of the watershed land area. There is no public access to Floods Pond, which is home to a native population of Arctic char (Salvelinus alpinus), a coldwater fish species closely related to both salmon and lake trout that has been used by the Maine Department of Inland Fisheries and Wildlife to establish coldwater fish populations in other Maine lakes. Fishing, boating, and swimming are prohibited, as are hiking, wildlife viewing, and hunting in posted areas that include the entire shoreline.

The geography of Floods Pond as a water supply resembles China Lake more than Lake Auburn. The vast majority of Bangor Water customers are in downstream communities (Bangor, Eddington, Hampden, Hermon, and Orrington), while the protected shoreline and watershed areas are in upstream communities that do not use the water. (A small portion of Clifton is served by Bangor Water.) Bangor Water controls nearly all the Floods Pond watershed in Otis and Clifton, 4,500 acres total and more than LAWPC controls in the Lake Auburn watershed. Recreational activities are also much more restricted at Floods Pond than at Lake Auburn. Floods Pond provides a useful comparison point at the more restrictive end of the spectrum that puts the lost tax revenues and recreational opportunities at Lake Auburn in perspective.

To summarize, these comparisons with other water supply lakes demonstrate that the protections surrounding Lake Auburn do not exceed those of China Lake, Sebago Lake, or Floods Pond. The restrictions on recreational opportunities at Lake Auburn are similar to those at other drinking water supplies, including filtered and unfiltered water sources. Similarly, land use restrictions within the Lake Auburn watershed are far from the most prohibitive among the examples discussed, with only 20% of the watershed held or managed as water supply land compared to 99% of the Floods Pond watershed. In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Holistic Recommendations

1. We recommend that the City of Auburn not seek to ease the current resource protection zoning or

consider rezoning portions of the watershed for increased density (e.g., village node-style development). Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed, preferably areas already served by sanitary sewer (for the benefit of nearby water resources such as the Androscoggin River). This recommendation is based on two key findings of this study that are fully elaborated in Section 3:

- Lake Auburn and its watershed are already at or near the key environmental thresholds of 10 parts per billion annual average total phosphorus and 75% forested watershed land cover; and
- The future scenario models showed that easing restrictions on further development in the Lake Auburn watershed would set the lake on a path toward deteriorating water quality, regardless of the beneficial effects of requiring low impact development techniques and without obvious management strategies to combat further declines in water quality.

2. We recommend that the Planning Board and City Council take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. If not acceptable in their current form, the recommended revisions should be reworked and made more practicable but not watered down or fundamentally changed in their intent or effect. These recommended changes represent a move toward simpler, more transparent, more evenly applied regulations that are based on the best available science. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. We recommend that the City of Auburn share the findings of Section 4, Analysis of Economic Impacts, with all partners and stakeholders so that the accounting of aggregate economic impacts of the existing conditions and various future scenarios are used as the basis for an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward. This recommendation is based on the key finding that any net benefits to the City or Auburn residents and taxpayers from expanded residential development in the Lake Auburn watershed would be counterbalanced by additional costs to Lewiston and its residents and taxpayers, in the form of increased costs associated with mitigating declining water quality and decreased benefits from recreation. These findings are fully elaborated by Section 4 of this report. As a next step in this planning process, we recommend that a scenario be modeled and run through a benefit cost analysis that meets the target water quality goal for Lake Auburn, which was not possible in the future scenarios modeled in this study when considering Auburn-only changes to regulations and management approaches. Developing a scenario that meets the water quality goal may require several iterations. The scenario should likely expand the existing Lake Auburn Watershed Overlay District to the upper watershed towns, require implementation of low impact development techniques on new development watershed-wide, and account for septic design standard changes.

4. We recommend that the City of Auburn, City of Lewiston LWD, AWD, and LAWPC fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed (Turner, Minot, Hebron, and Buckfield) to control development and limit phosphorus loading. Historically, LAWPC has been an active player in fostering collaborative action between the local governments, with representation from the upper watershed towns. This recommendation is based on the key finding from this study that Auburn alone cannot accomplish sufficient phosphorus load reductions to prevent deteriorating water quality in Lake Auburn, but will require active participation from the upper watershed towns. This finding is fully elaborated in Section 3.

5. We recommend completing a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both AWD and Bates College in the Lake Auburn watershed. Identify gaps based on weaknesses and assumptions for the model. From the review and gap analysis, devise a robust long-term water quality monitoring plan and annual cost estimate for Lake Auburn. We also recommend that 1) the AWD hire a full-time, dedicated data management technician for improved management, access, and analysis of collected water quality data; 2) the AWD and LWD continue collaboration with Bates College on student-assisted monitoring; and 3) LAWPC consider creating a technical science advisory board to establish or maintain key local, State, and regional partnerships that can help to provide regular review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the in-take should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. We recommend that the LAWPC coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. We recommend developing a comprehensive natural resource management plan for LAWPC lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection if in the interest of public water supply protection, with multiple management options offered. We also recommend developing natural resource inventories for all LAWPC lands to map critical streams (perennial and intermittent), wetlands, vernal pools, cover types, rare, threatened, and endangered species present, etc. to include in individual natural resource management plans that set management objectives and methods to achieve water resource and wildlife habitat protection for each LAWPC parcel. If timber harvesting continues in the Lake Auburn watershed on LAWPC or private lands, then we recommend a series of actions to minimize forestry impacts to water quality. Refer to Forest Management in Section 3.

10. We recommend that LAWPC work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that LAWPC consider putting all their properties into permanent conservation. These properties are currently protected under the LAWPC by-laws but provide no higher-level legal protection from future development if said by-laws were to be revoked.

Photo Credit: Sun Journal

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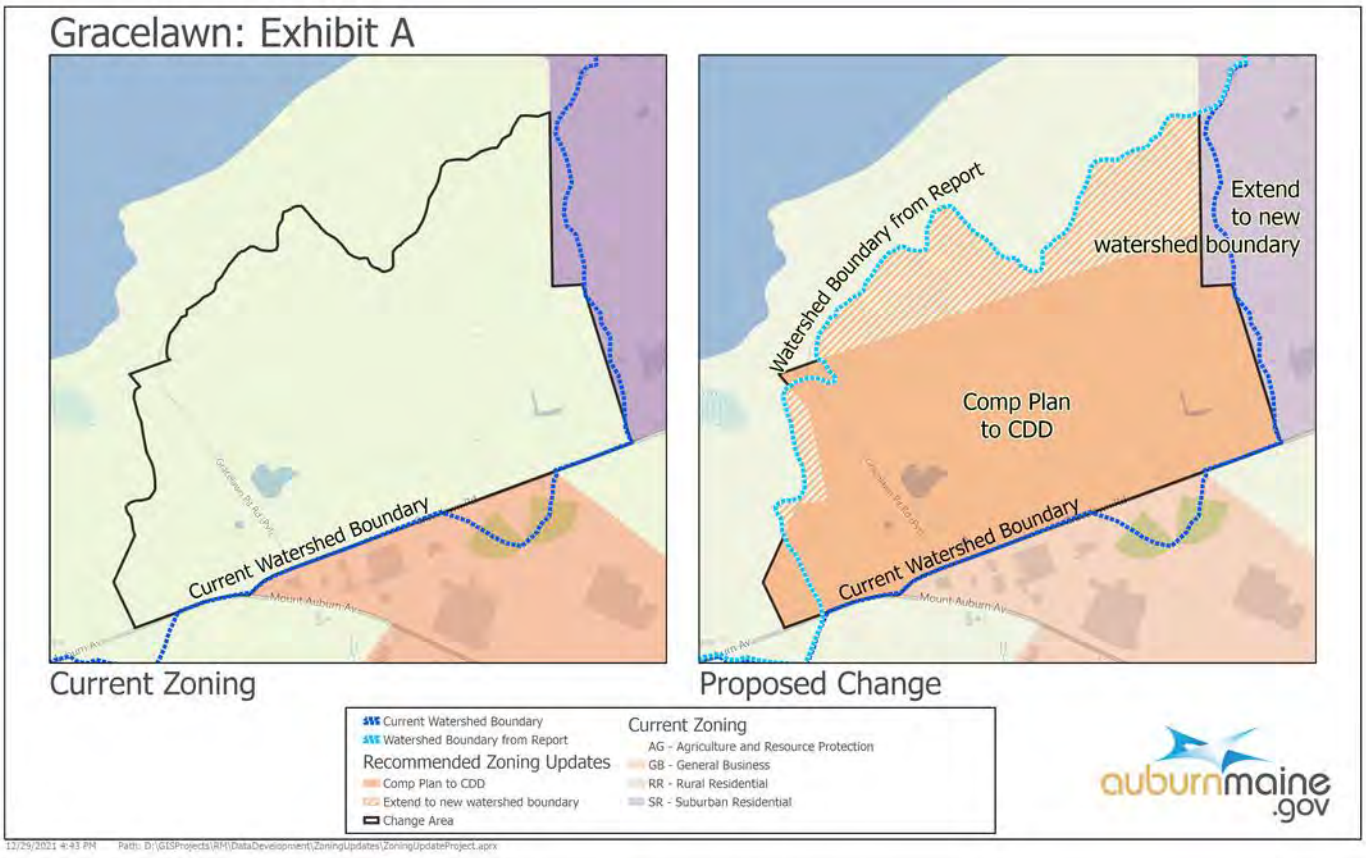
City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

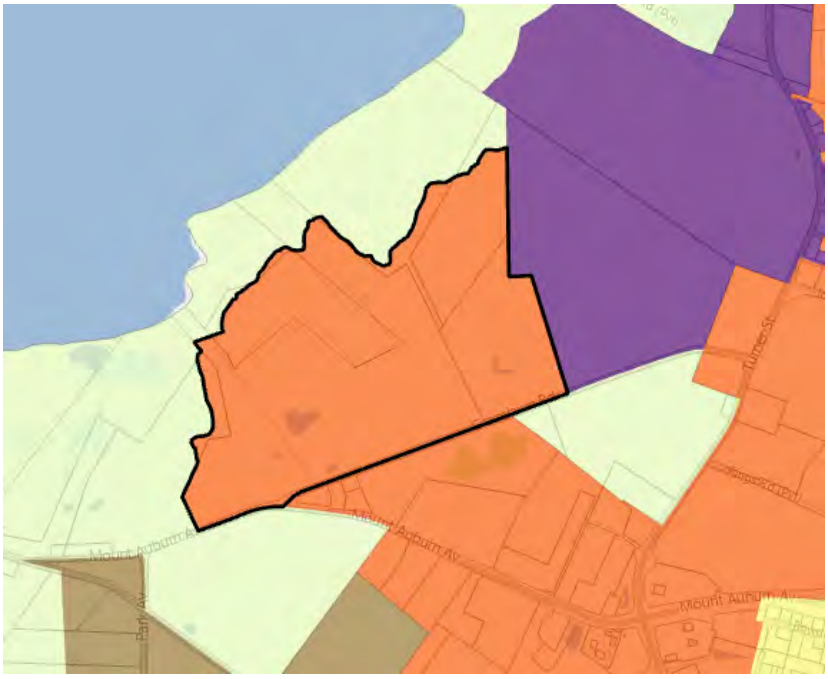
To: Auburn Planning Board
From: Eric J. Cousens, Director
Re: Gracelawn Area Zoning change AGRP to GB and Watershed District Zoning Boundary amendment from the 2021 Updated Comprehensive Plan

Date: February 8, 2022

PROPOSAL: **Gracelawn area;** The Comprehensive Plan recommends adjusting the zoning boundary to allow for reuse of the Gracelawn Gravel Pits for development where they no longer drain to Lake Auburn and shows about 111 acres proposed for the change. The Lake Auburn Study analyzed this further and recommends removing 148 acres from the Watershed based on topography and ground water data. Approximately 37 acres are not shown as Commercial Development District (CDD) in approved FLU mapping because the approximate boundaries for the conceptual change were conservative and were developed before the Lake Auburn Study was completed. We knew a majority of the land was not draining to the lake but the study identified a larger area draining away from the lake and the council approved utilizing the Auburn Lake Watershed Study as part of the Comprehensive Plan Updates. In that study they suggested moving the watershed boundary to match the actual drainage area boundary. From that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary for a total of 148 +/- acres. (See Below Exhibit A.)



Our Comprehensive plan uses some different nomenclature than our existing ordinance for different district names. One goal of the plan updates is to reduce the number of zoning districts by combining similar districts over time. Staff contemplated creating a new district titled CDD as part of this change but instead we recommend moving the existing boundary of the General Business District to include the referenced 148 acres shown on the map. The excerpt below from the Comprehensive Plan provides a description of the CDD. This will make the boundary adjustment to the localized area and leave the combining of the GB and GBII districts for a future discussion without creating and additional zoning District in the interim. As you can see the CDD text recommendations will eventually combine the two districts and will require notification to the entirety of the GB and GBII zoning districts and a public hearing to discuss that as a future separate item.



COMMERCIAL DEVELOPMENT DISTRICT (CDD)(Excerpt from Comprehensive Plan)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic. The district will allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses – The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed in the General Business Development District:

- *Low and High Residential Density Uses*
- *Retail uses including large-scale uses (>100,000 square feet)*
- *Personal and business services*
- *Business and professional offices*
- *Medical facilities and clinics*
- *Restaurants*
- *Hotel, motels, inns, and bed & breakfast establishments*
- *Low and High-Density Residential Uses*
- *Community services and government uses*
- *Research, light manufacturing, assembly, and wholesale uses*
- *Truck terminals and distribution uses*
- *Contractors and similar activities*
- *Motor vehicle and equipment sales*
- *Motor vehicle service and repair*
- *Recreational and entertainment uses and facilities*

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

The current proposal also includes an adjustment of the Lake Auburn Watershed District Zoning Overlay to match what science has shown us to be the actual drainage boundary to the physical Lake Auburn Watershed. The revised boundary is shown as a blue line in the map on the previous page titled Proposed Change. A copy of the Lake Auburn watershed Study Pages recommending this change is attached. The Lake Auburn Watershed Boundary is defined in our ordinance as follows:

Sec. 60-951. Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

The district, by definition, should match the actual drainage boundaries and we now have information that confirms that the existing Watershed District Map includes land that does not drain to the Lake.

PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests a planning board discuss the proposals and hold a Public Hearing on February 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes, 1: That the Lake Auburn Watershed Overlay Zoning Boundary be adjusted as shown in the Lake Auburn Watershed Study(and on the attached Map); and 2 that the General Business Boundary be adjusted to include the 148 acres shown on the map based on the following findings.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now the 2020 Comprehensive Plan recommend expanding the Commercial zoning in this area to include the area proposed on the map with a minor difference to follow existing property boundaries. This can be accomplished without creating a new district by using the existing General Business Zone.
2. The two small areas inside the watershed will be required to drain internally (out of the watershed) or meet phosphorus control standards.
3. The current Boundary of the Lake Auburn Watershed District Overlay Zoning Boundary has been shown to be different than the actual drainage boundary based on the Lake Auburn Watershed Study's analysis of topography and groundwater movement in the area and should be adjusted as proposed to match the physical drainage boundaries of the watershed.
4. The proposal can be implemented without detriment to Lake Auburn and is recommended by the Comprehensive Plan.

ORDINANCE 08-03072022

City Council Ordinance

IN CITY COUNCIL

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

Be it ordained, that the City Council approve the amendment to the Zoning Map of 148 acres of Agriculture and Resource Protection (AG) to General Business (Parcel ID 289-001 and 289-002) of the Zoning Map and adjust the Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District map as proposed in the 2021 FB Environmental Report known as Lake Auburn- A Regulatory, Environmental, and Economic Analysis of Water Supply Protection.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Ordinance:** 09-03072022

Author: Eric J. Cousens, Director Planning & Permitting

Subject: **Washington Street Gateway Area:** 240 +/- acres from General Business to Formed Based Code Downtown Traditional Center; T-5.1. and approximately 9.63 acres of Industrial Land to Downtown Traditional Center; T-5.1 for the inclusion of the specific lot PID 199-052.

Information: See attached Staff Report for details. Staff suggests that the Council discuss the proposals and hold a Public Hearing. The Planning Board forwarded a positive recommendation to the Council supporting the proposed changes at the February 8, 2022 Meeting, The recommendation included that the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1. The total amendment includes 240 +/- acres shown on the map (exhibit B in attached staff report) based on the following findings:

1. The 2021 Comprehensive Plan recommends expanding the Formed Base Code zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-5.1.

2. The area has available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads).

3. The proposal can be implemented without detriment to city resources.

4. The 2010 and now 2020 Comprehensive Plan recommends this area as the gateway to the City of Auburn with a proposed revitalization of a welcoming, pedestrian friendly, business friendly and mixed-use area.

City Budgetary Impacts: None Currently, potential increased investment and tax revenues over time.

Staff Recommended Action: Hold Public Hearing and approve first reading.

Previous Meetings and History: December 6, 2021 Comprehensive Plan adoption and January 3, 2022 workshop.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Staff Report and Planning Board recommendation.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Proposed Amendment to the Washington Street Gateway Area: 240 +/- acres from General Business to Formed Based Code Downtown Traditional Center; T-5.1. and approximately 9.63 acres of Industrial Land to Downtown Traditional Center; T-5.1 for the inclusion of the specific lot PID 199-052.

Date: February 8, 2022 Planning Board Meeting Recommendation to City Council

The Planning board discussed the proposal and held a Public Hearing on February 8, 2022. The Planning Board voted unanimously to forward a positive recommendation to the Council supporting the proposed changes, That the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1. The total amendment includes 240 +/- acres shown on the attached map (exhibit B) based on the following findings.

FINDINGS AND REASONS:

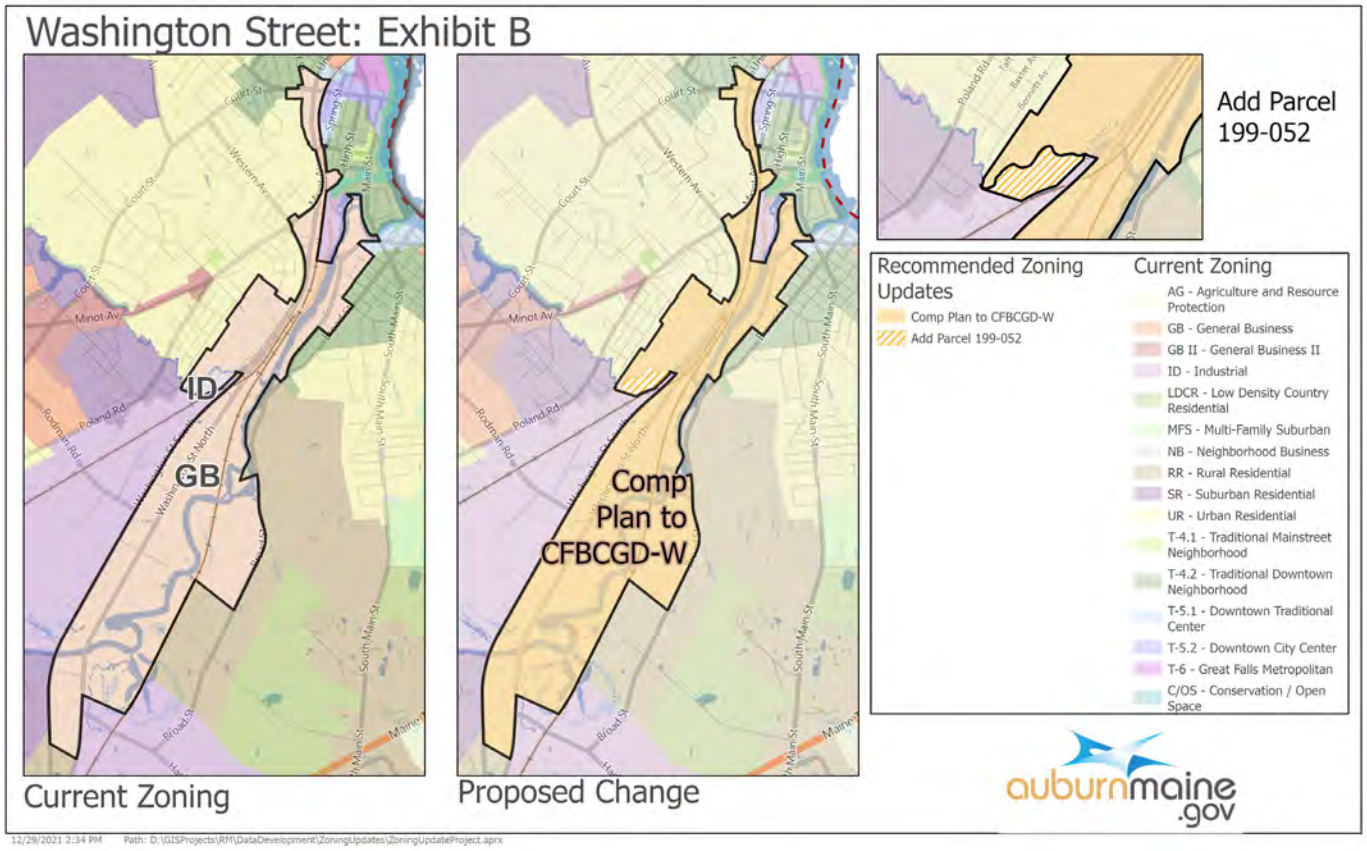
1. The 2021 Comprehensive Plan recommend expanding the Formed Base Code zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-5.1.
2. The area has available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads).
3. The proposal can be implemented without detriment to city resources.
4. The 2021 Comprehensive Plan recommends this area as the gateway to the City of Auburn with a proposed revitalization of a welcoming, pedestrian friendly, business friendly and mixed-use area.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public hearing Washington Street area zoning considerations from 2021 Updated Comprehensive Plan

Date: February 8, 2022

PROPOSAL: **Washington Street Area;** 240 +/- acres from General Business to Formed Based Code Downtown Traditional Center; T-5.1. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052. (See below Exhibit B.)



COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)T-5.1.

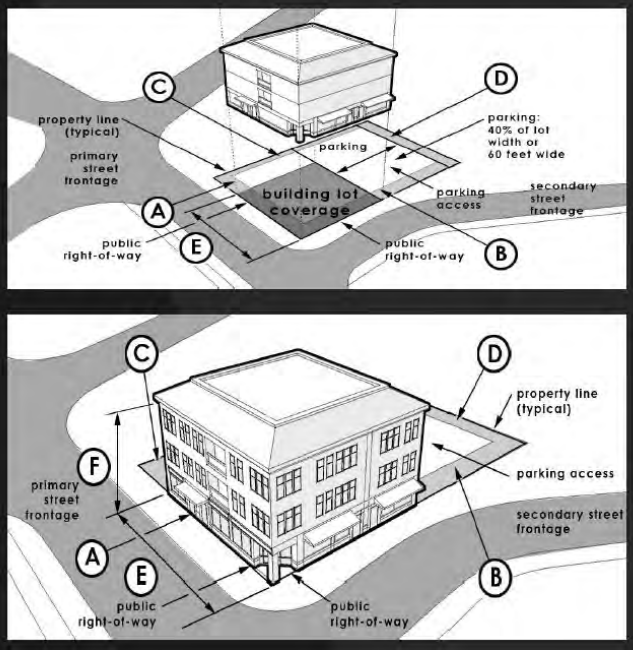
Objective – Without creating a new district staff proposes to use **Formed Based Code Downtown Traditional Center; T-5.1**, to allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and

character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the city. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update. The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi dwelling development with up to three stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited, and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

Examples of Downtown Traditional Center T-5.1



PRINCIPAL BUILDING PLACEMENT:

Front Setback, Principal:	0 ft. Min., 10 ft. Max.	(A)
(Corner Lot) Front Setback, Secondary:	0 ft. Min., 10 ft. Max.	(B)
Side Setback:	0*—5 ft. Min.	(C)
	*Subject to Building Permit Approval	
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	75% Max.	
Useable Open Space:	5% Min.	
Frontage Build-Out:	75% Min. along Front Setback, Primary	
Lot Width:	24 ft. Min, 160 ft.Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 150 ft. Max.	(E)
Building Height Minimum:	2 Story Min. (F)	
Building Height Maximum:	4 Story Max. (excluding attic story)	(F)

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests a planning board discuss the proposals and hold a Public Hearing on February 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes, That the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1.

The total amendment includes 240 +/- acres shown on the map (exhibit B) based on the following findings.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now 2021 Comprehensive Plan recommend expanding the Formed Base Code zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-5.1.
2. The area has available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads).
3. The proposal can be implemented without detriment to city resources.
4. The 2010 and now 2020 Comprehensive Plan recommends this area as the gateway to the City of Auburn with a proposed revitalization of a welcoming, pedestrian friendly, business friendly and mixed-use area.

II. *Suggested Motion:* I make a motion to recommendation to City Council to amend the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1 the total amendment includes 240 +/- acres shown on the map as Exhibit B.

ORDINANCE 09-03072022

City Council Ordinance

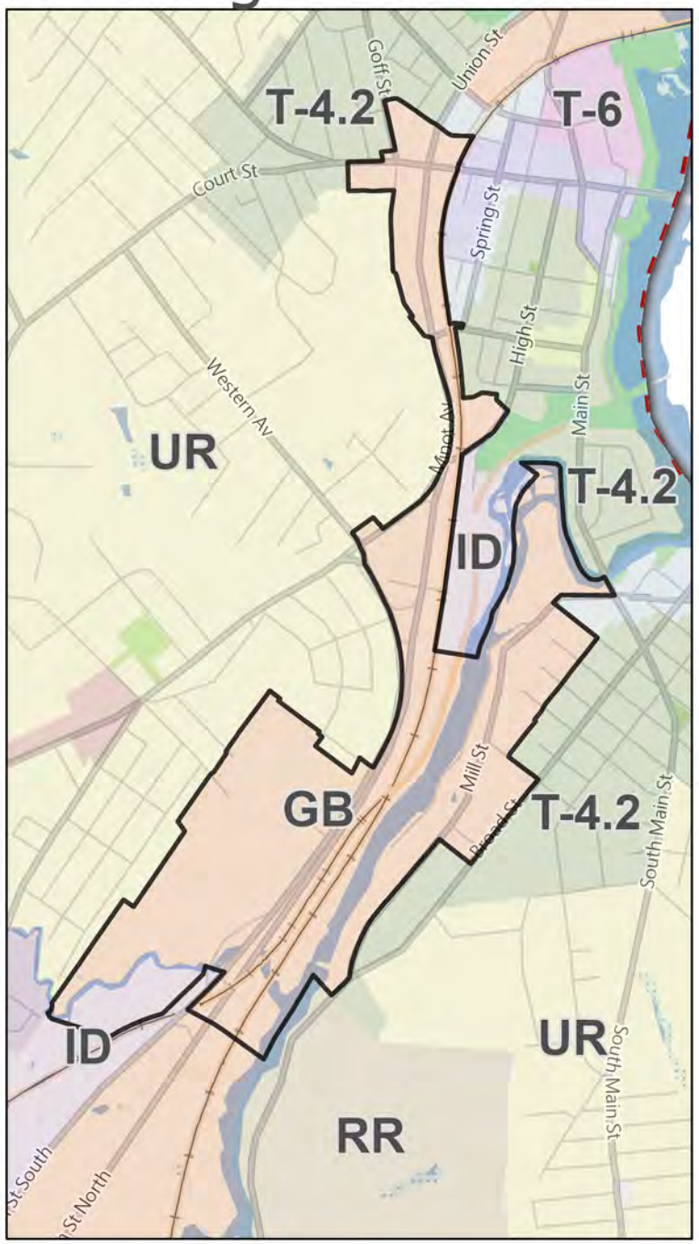
IN CITY COUNCIL

Amending the Zoning Map (Washington Street/Minot Avenue area) from Industrial to Formed Based Code Downtown Traditional Center T-5.1.

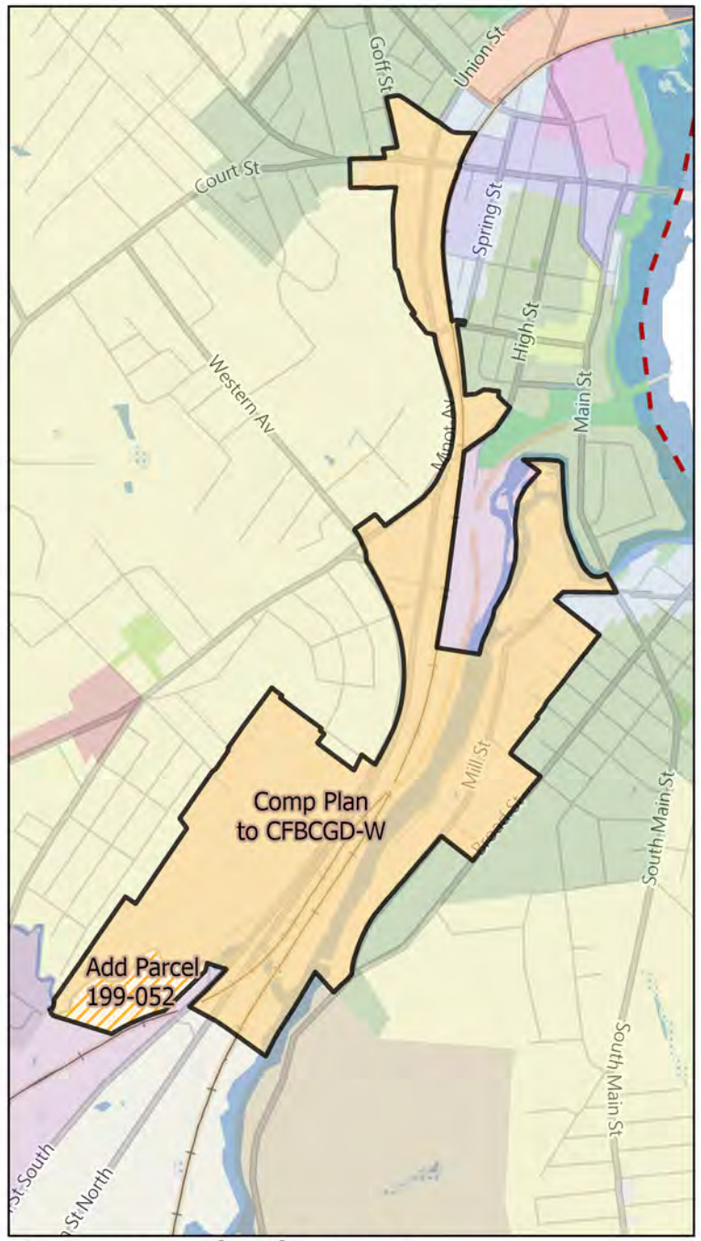
Be it ordained, that the Auburn City Council approve an amendment to the Zoning Map to include the areas along Washington Street and Minot Avenue totaling approximately 240 +/- acres to be changed from General Business to Formed Based Code Downtown Traditional Center T-5.1. and including approximately 9.63 acres (PID 199-052) from Industrial to Formed Based Code Downtown Traditional Center T-5.1 as shown on the attached Exhibit B Map.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

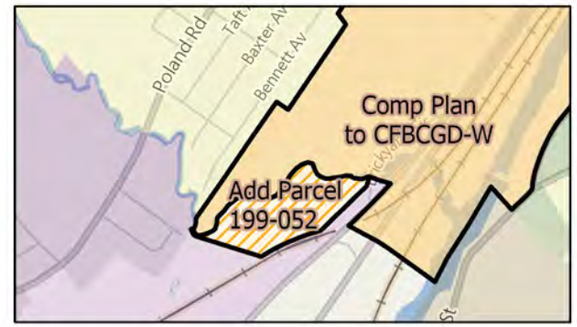
Washington Street: Exhibit B



Current Zoning



Proposed Change



Add Parcel
199-052

Recommended Zoning Updates

- Comp Plan to CFBCGD-W
- Add Parcel 199-052

Current Zoning

- GB - General Business
- GB II - General Business II
- ID - Industrial
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

auburnmaine.gov

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Ordinance**: 10-03072022

Author: Eric Cousens, Director Planning & Permitting

Subject: Update to Phosphorus Ordinance Sec. 60-1070 Submission Requirements

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Information: This change addresses utilization of the most current design standards set forth by Maine Department of Environmental Protection to treat phosphorus export for a project or projects over 575 square feet of ground floor area within the Taylor Pond and Lake Auburn watershed. The technical guide for design standards of Phosphorus Control Best Management Practices will be updated from the May 1990 to the March 2016 version.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016. Link Below:

https://www.maine.gov/dep/land/stormwater/stormwaterbmps/vol2/volume%20II%20March%202016.pdf

These changes allow for implementation and design of low impact development (LID) techniques that allow for more flexibility and greater water quality protection in the two watersheds.

City Budgetary Impacts: None Currently

Staff Recommended Action: Hold Public Hearing and vote to approve first reading.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Ordinance.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Proposed Amendment to Update Phosphorus Ordinance Sec. 60-1070 Submission Requirements

Date: February 8, 2022 Planning Board Meeting

The Planning Board forwarded a positive recommendation to the Council on this proposal at the February 8, 2022 Planning Board meeting.

The Board recommended that the Council amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016 as shown in the attached text.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

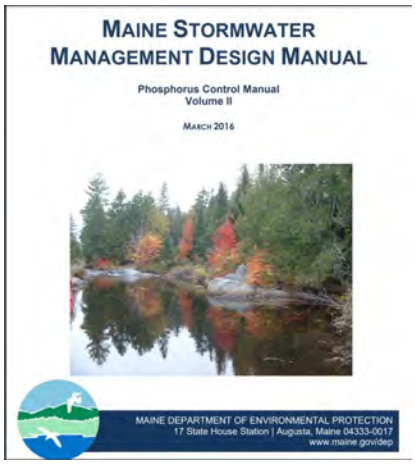
To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing proposed Update to DIVISION 2. PHOSPHORUS CONTROL, Section 60-1070 – Submission Requirements

Date: February 8th, 2022

PROPOSAL: This update addresses utilization of the most current design standards set forth by Maine Department of Environmental Protection to treat phosphorus export for a project or projects over 575 square feet of ground floor area within the Taylor Pond and Lake Auburn watershed. The technical guide for design standards of Phosphorus Control Best Management Practices will be updated from the May 1990 to the March 2016 version.

Proposed Text: ***All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.***

These changes allow for implementation and design of low impact development (LID) techniques that allow for more flexibility and greater water quality protection in the two watersheds.



I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board discuss the proposals and hold a Public Hearing on February 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes.

II. *Suggested Motion:* I make a motion to recommendation to City Council to amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update, all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.

ORDINANCE 10-03072022

City Council Ordinance

IN CITY COUNCIL

Amending Chapter 60, Article XII, Division 2, Section 60-1070

Be it ordained, that the Auburn City Council amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016 as shown in the attached text.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in ~~the manual Phosphorus Control and Lake Watersheds A Technical Guide to Evaluating New Development~~ design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016. ~~(Maine DEP et al., September 1989, with the Simple Review Method revised in May 1990).~~

(1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:

a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.

b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.

c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.

d. A comprehensive erosion and sedimentation control plan, designed in accordance with the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, March 1991, and all building and environmental protection requirements of this Code.

(2) *Review method.*

a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.

b. Projects meeting the following criteria may employ the simple review method:

1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.

2. Activity which includes less than 200 feet of new or upgraded road construction.

(3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G; Ord. No. 11-03012021, § 81, 3-15-2021)

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 36-03072022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Initiate the discussion of Zoning Considerations from 2021 Updated Comprehensive Plan - Next Steps

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Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. At the January 3rd Council meeting the Council initiated four discussions that are currently underway and coming back to Council for Votes and Public Hearings. We do not have capacity to consider all the changes at once, but we plan an ambitious effort to have changes under consideration going forward. This action will set the next priority changes with a focus on residential options within the residential the core of the City. Below are changes that staff suggests we start discussing by having the Council initiate their consideration pursuant to Chapter 60, Article XVII Division 2 of City Ordinances. Initiation of these discussions will direct staff to draft the amendments and forward them to the Planning Board for a public Hearing and recommendation back to the Council on how to proceed.

Consider expanding the Traditional Neighborhood Development District to 4 areas of the City as defined in the Comprehensive Plan. These are areas that are served by or located near public sewer and/or water services. Where water or sewer are not made available by the developer, density will be further restricted by the plumbing code and site constraints until services are extended. Staff also wishes to work with the planning Board on two items within the form based codes to allow better access to available public parking for new residential developments and flexibility on building orientation towards private drives and parking areas rather than limiting orientation towards the public roads in the case of larger multi-building developments.

Comprehensive Plan Future Land Use Text:
https://www.auburnmaine.gov/CMSContent/Planning/Comp%20Plan/APPROVED%20061621%20FUTURE%20LAND%20USE%20PLAN.pdf
Comprehensive Plan Future Land Use Map:
https://auburnme.maps.arcgis.com/apps/webappviewer/index.html?id=cc0ca6f5ab43411f89085a250f07c119

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)
Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

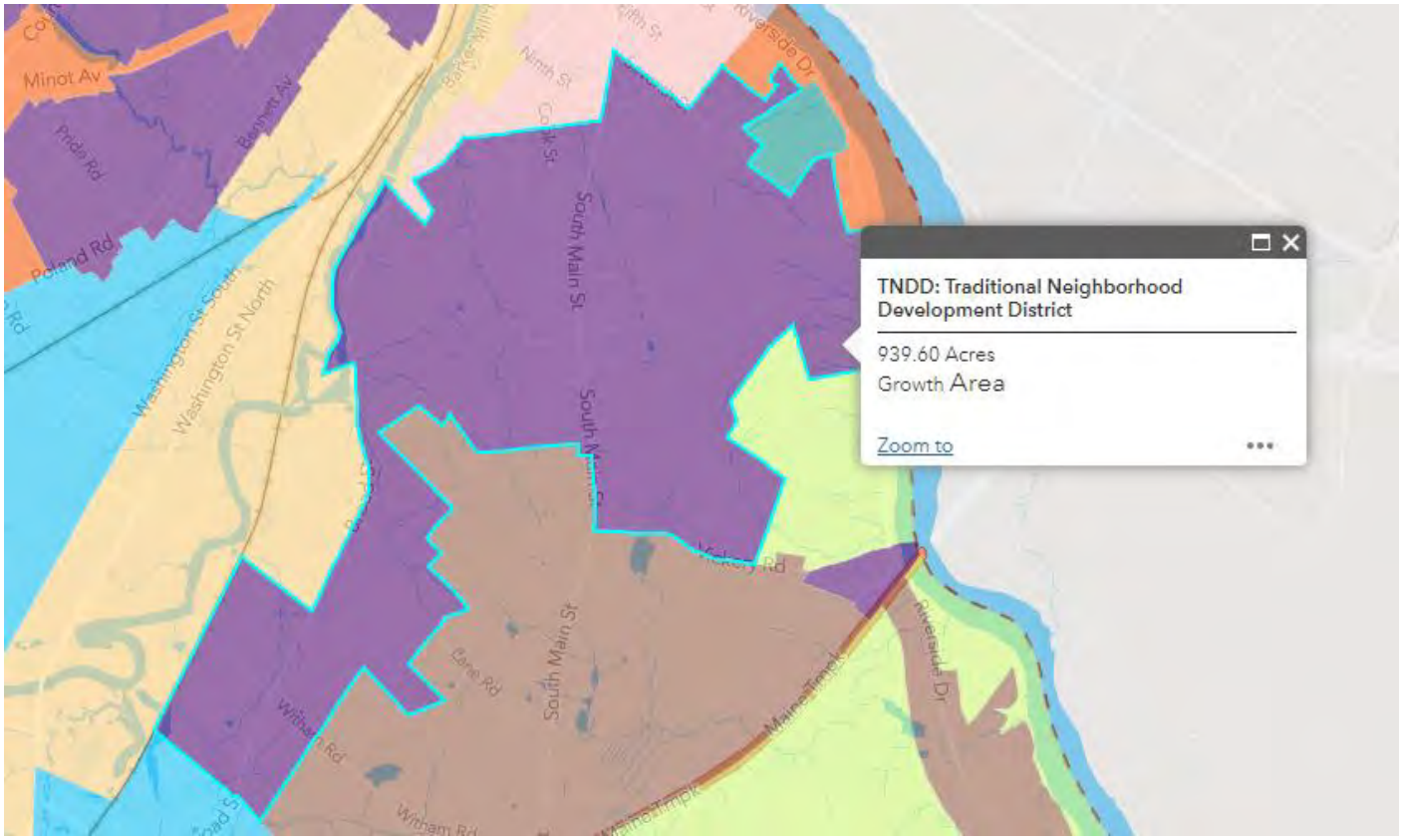
Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

Areas:

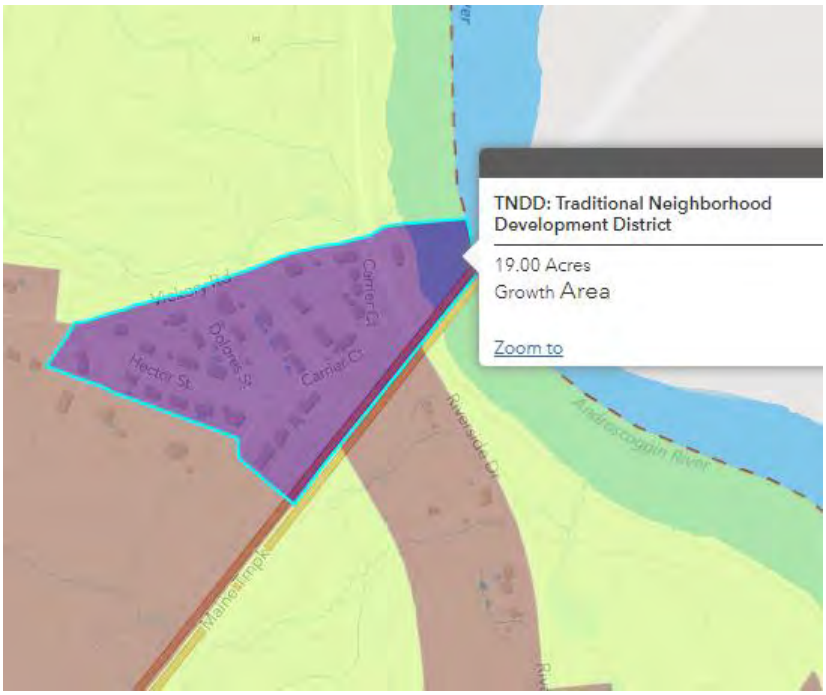
a. <u>New Auburn and Broad Street Traditional Neighborhood District Form Based Code Expansion</u>



Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the New Auburn Urban Residential Areas and to Broad Street as outlined on the adjacent Map. The area includes 936 acres within a designated Growth Area.

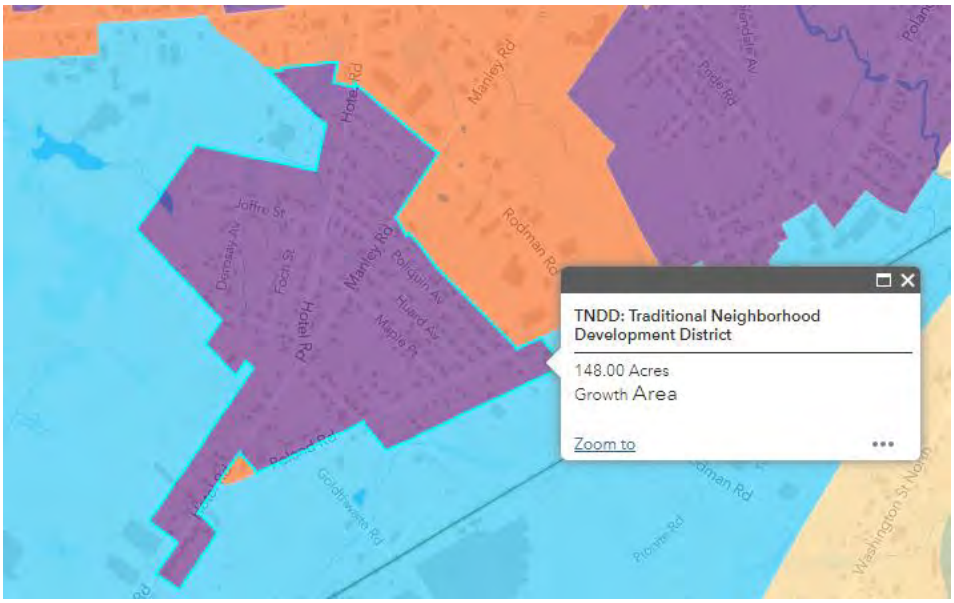
b. <u>Vickery Road Traditional Neighborhood District Form Based Code Expansion</u>

Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the Vickery Road area as outlined on the adjacent Map. The area includes 19 acres within a designated Growth Area.



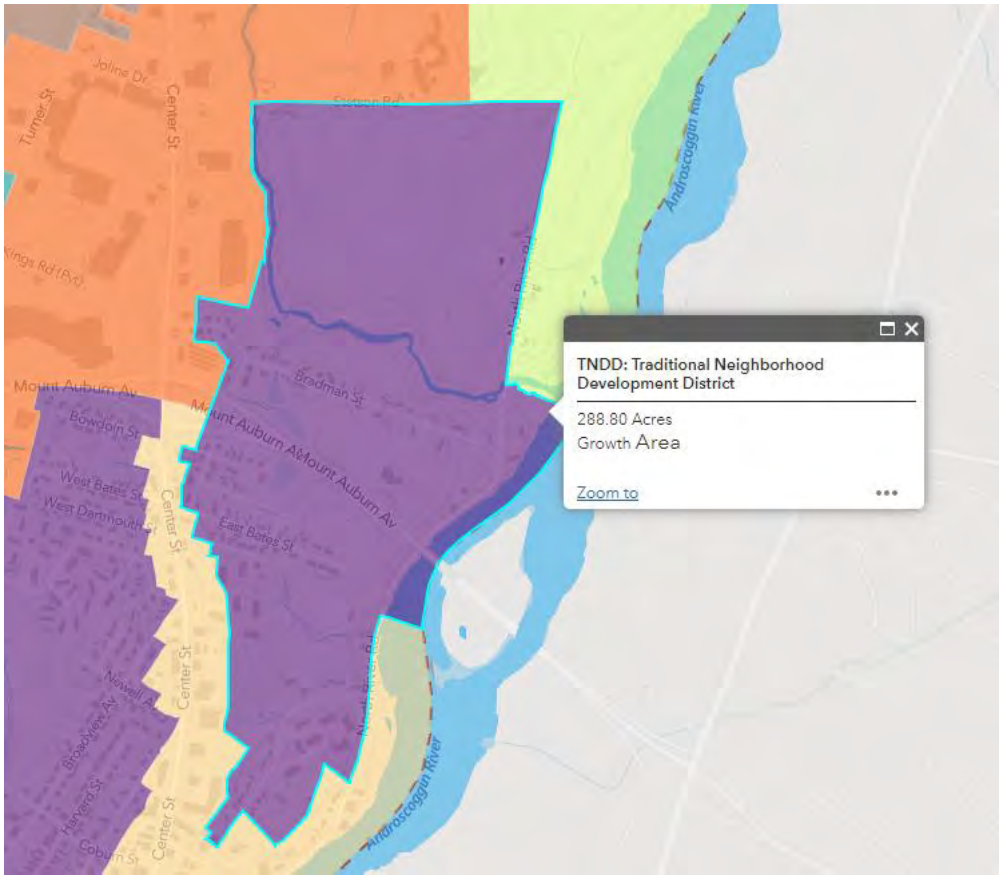
c. <u>Poland/Manley/Hotel Road Traditional Neighborhood District Form Based Code Expansion</u>

Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the Poland/Manley/Hotel Road Residential area as outlined on the adjacent Map. The area includes 148 acres within a designated Growth Area.



d. <u>Bates, Bradman, Stetson Traditional Neighborhood District Form Based Code Expansion</u>

Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the Bates, Bradman, Stetson Road Residential area as outlined on the adjacent Map. The area includes 288 acres within a designated Growth Area.



City Budgetary Impacts: Up to $7,000 in approved Comprehensive Plan Implementation funds for mapping and analysis services and the substantial cost of mailing abutter notices with large area changes. The changes will result in new investment and create new taxable value.

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

Previous Meetings and History: December 6th Council adoption of the Comprehensive Plan.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order and links to Comprehensive Plan

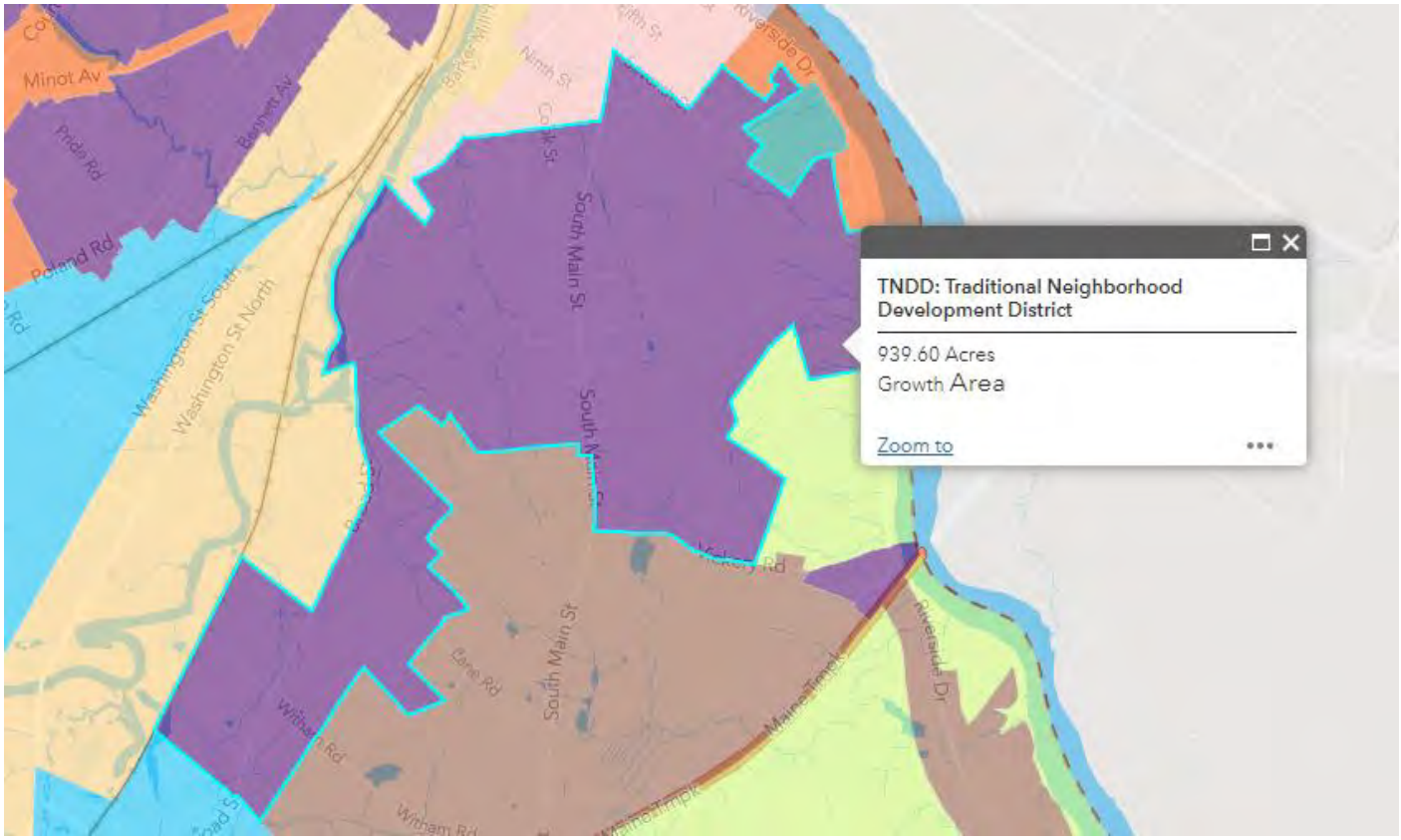
ORDER 36-03072022

City Council Order

IN CITY COUNCIL

ORDERED, That the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following four amendments:

a. **New Auburn and Broad Street Traditional Neighborhood District Form Based Code Expansion**



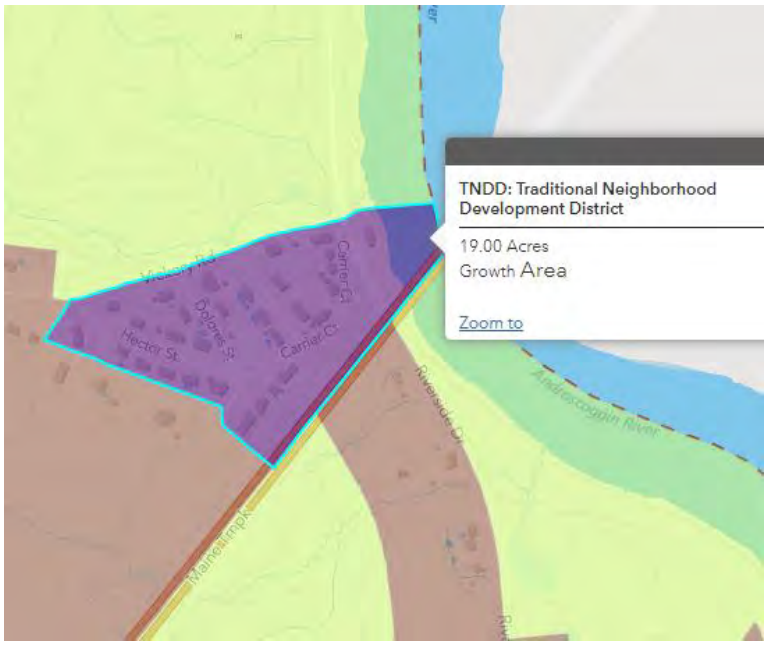
Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the New Auburn Urban Residential Areas and to Broad Street as outlined on the adjacent Map. The area includes 936 acres within a designated Growth Area.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

b. Vickery Road Traditional Neighborhood District Form Based Code Expansion

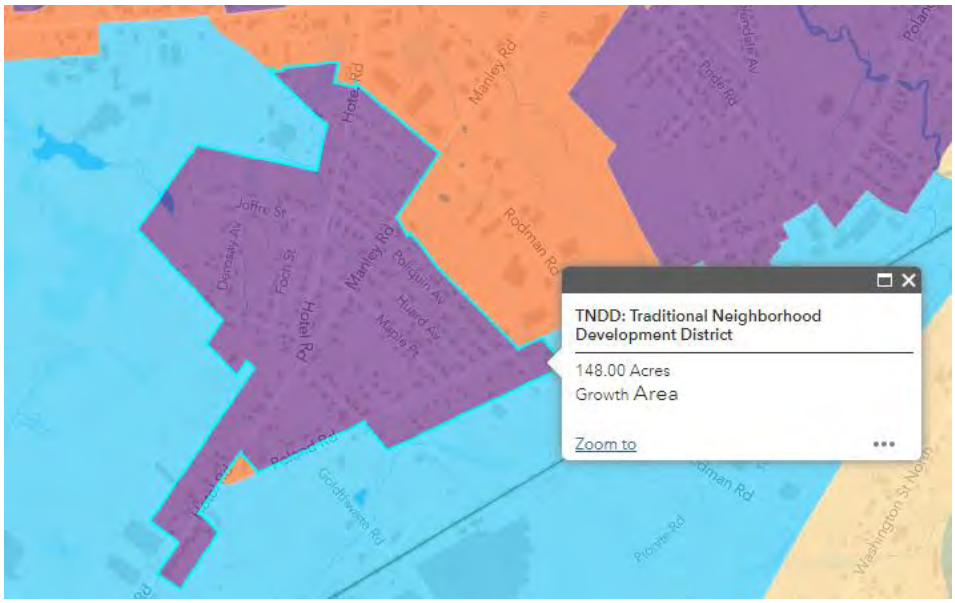
Initiate consideration of the Comprehensive Plan recommendation to expand T.4.2 Traditional Downtown Neighborhood to the Vickery area as outlined on the adjacent Map. The area includes 19 acres within a designated Growth Area.



the Road

c. Poland/Manley/Hotel Road Traditional Neighborhood District Form Based Code Expansion

Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the Poland/Manley/Hotel Road Residential area as outlined on the adjacent Map. The area includes 148 acres within a designated Growth Area.



Richard Whiting, Ward One
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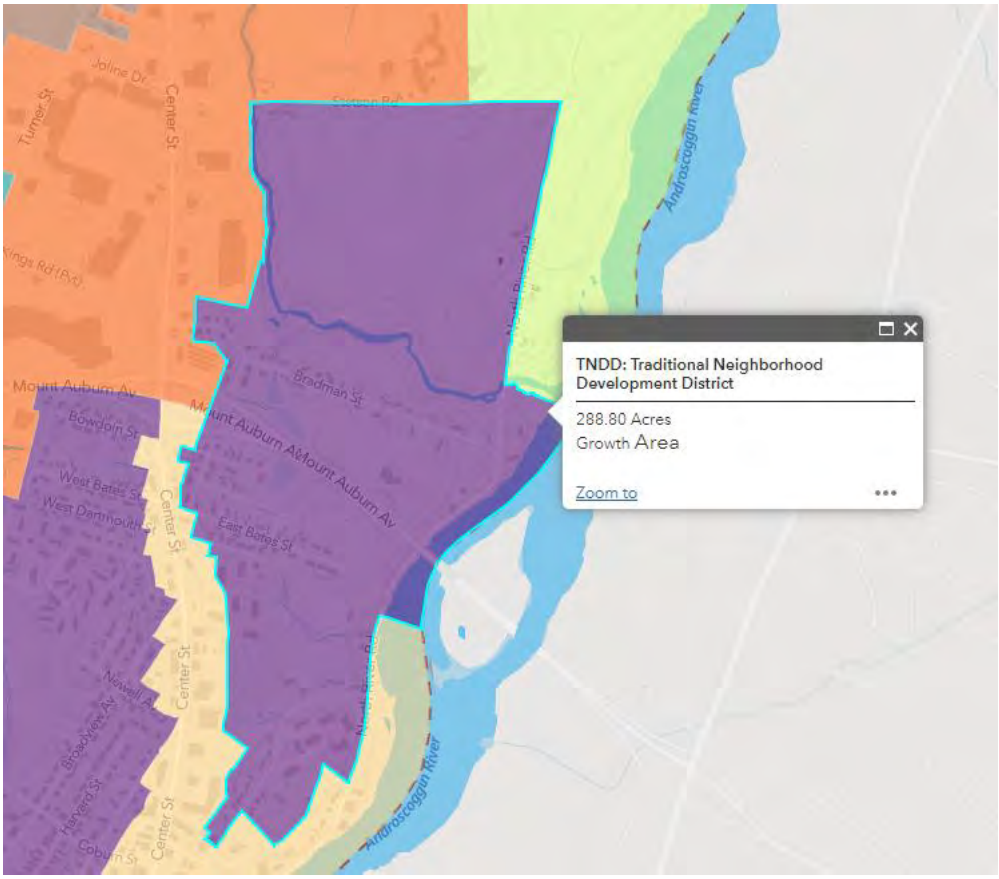
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

d. Bates, Bradman, Stetson Traditional Neighborhood District Form Based Code Expansion

Initiate consideration of the Comprehensive Plan recommendation to expand the T.4.2 Traditional Downtown Neighborhood to the Bates, Bradman, Stetson Road Residential area as outlined on the adjacent Map. The area includes 288 acres within a designated Growth Area.



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 37-03072022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Business and Community Development Office Move

Information: The City of Auburn has been awarded a Lead Hazard and Healthy Home Grant as well as an increase in HOME funds. The grants required the hiring of additional staff for a total of 10 employees. Auburn Hall currently does not have available space to accommodate this additional staff on the first or second floors. Director has looked at five possible locations near Auburn Hall and are recommending relocating the Business and Community Development Department to the fourth-floor north side of 95 Main Street. This space will accommodate up to 12 employees and provide for all department needs for the foreseeable future. In direct response to the Covid-19 pandemic, this move will provide much needed access to our Public Health Services, General Assistance Services, and direct service staff who are assisting homeless or near homeless residents in our community as laid out in our HOME funds budget.

We propose utilizing ARPA funds, not to exceed $500,000., to cover all expenses over the allowable term of the funding.

City Budgetary Impacts: None

Staff Recommended Action: Vote to approve the use of $500,00 in ARPA funds to relocate the Business and Community Development Department.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Comparison of sites evaluated, ARPA Funds budget

Comparison of spaces reviewed for B&CDO Move

	95 Maine Street	1 Great Falls Plaza	1 Great Falls Plaza	95 Maine Street	79 Maine Street
Floor	4	1	2	1	1
Total Square feet	3328	3050	4179	2025	2000
# of offices	7	3	4	4	1
# of Cubicles	5	0	0	6	6
Conference Room	Yes	No	No	No	Yes
Intake Space	Yes	Yes	Yes	Yes	No
Utilities included	No	No	No	No	Yes
Cost per Sq/ft	$ 15.00	$ 8.00	$ 8.25	Eliminated due to size	Eliminated due to size
Annual Rent	$ 49,920.00	$ 24,400.00	$ 34,476.75		
Lease type	Modified Gross	Triple Net	Triple Net		
CAM Charges	N/A	$ 8,672.00	$ 13,617.00		
Taxes	N/A	$ 5,082.00	$ 8,324.27		
Gas/Electric	$ 4,800.00	$ 5,545.00	$ 4,168.41		
Initial Deposit	$ 56,185.40	$ 49,699.00	$ 68,190.56		
Estimated Annual Cost					
Year #1	$ 49,920.00	$ 43,699.00	$ 60,586.43		
Year #2	$ 51,417.60	$ 45,009.97	$ 62,404.02		
Year #3	$ 52,960.13	$ 46,360.27	$ 64,276.14		
Year #4	$ 54,548.93	$ 47,751.08	$ 66,204.43		
Total 4 year rent/Utilities	**$ 269,832.06**	**$ 238,064.32**	**$ 325,829.99**		

Based on the needs of the Department and the proximity to Auburn Hall staff is recomending 95 Main Street. Both locations at Graet Falls Plaza would require significant build out at City expense.

Proposed ARPA Budget to Move B&CDO to 95 Main Street for Five Years

	Year 1	Year 2	Year 3	Year 4
Office Furniture	$ 22,000	$ -	$ -	$ -
Office Equipment	$ 21,000	$ -	$ -	$ -
IT Buildout	$ 18,000	$ -	$ -	$ -
Movers	$ 3,000	$ -	$ -	$ -
Lease	$ 49,920	$ 51,418	$ 52,960	$ 54,549
Initial Deposit	$ 86,985	$ -	$ -	$ -
Utilities	$ 4,800	$ 4,800	$ 4,800	$ 4,800
Custodial	$ 26,000	$ 26,000	$ 26,000	$ 26,000
Contingency	$ 17,000	$ -	$ -	$ -
	$ 248,705	**$ 82,218**	**$ 83,760**	**$ 85,349**

TOTAL **$ 500,032**

ORDER 37-03072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn Allocate Five Hundred Thousand ($500,000) dollars of ARPA Funds to relocate and expand the Business and Community Development Department to a location the will better serve our residents and allow for expanded services in response to the impacts of the COVI-19 Pandemic.

Richard Whiting, Ward One
Joseph Morin, Ward Four
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Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 38-03072022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Economic Development Revolving Loan Pool

Information: Allocate $500,000.00 of ARPA Funding to create an Economic Development Revolving Loan Fund to assist businesses in Auburn to locate, expand, and grow.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Program overview

ARPA FUNDING PROPOSAL

Economic Development Revolving Loan Pool

Many small businesses have suffered due to the COVID-19 Pandemic in our community. As the Directors of Business and Community Development and Economic Development, we propose the City set up a revolving loan fund for our small businesses. For this proposal, We are defining a small business as any business based in Auburn having fewer than 100 employees or gross revenues below five million dollars.

We propose the City set aside five hundred thousand dollars of ARPA funds to create this revolving loan fund. Loans will be limited to no more than one hundred fifty thousand dollars per entity. With a maximum of a six-year repayment term and an interest rate no less than the Wall Street Journal's published Prime Rate on the day of the loan approval (currently 3.25%) and a maximum of that rate plus three percentage points.

The borrower will need to demonstrate the need for the funds to expand the company's production, replace outdated equipment, open a new location in Auburn, or as part of a larger funding package from a traditional lending institution.

The City will be subordinate to any other needed funding and will only take collateral of equipment that it finances alone or greater than eighty percent of the purchase price. All loans will require a personal guarantee from any owner, partner, or investor controlling twenty percent or more of the company.

The City will do everything possible within its rights to collect these debts; however, as these are loans, the funds will be at risk of loss.

We believe we will assist ten businesses in the first 18 months, creating or retaining a minimum of 10 jobs. As the funds are repaid, they will be used to continue this work.

Respectfully Submitted

Glen E. Holmes
Director of Business & Community Development

Jay Brenchick
Director of Economic Development

ORDER 38-03072022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn allocate Five Hundred Thousand Dollars ($500,000) of ARPA Funding to create an Economic Development Revolving Loan Pool conforming to the Rules and Guidance provided by the US Treasury Department.

Richard Whiting, Ward One
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Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022 **Order:** 39-03072022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Sustainable Auburn Program

Information: The Current Sustainable Auburn City Match of Efficiency Maine Residential Grants for qualifying purchases restricts the funding to only Auburn residents. This order would expand this to individuals that live in another community in Maine and own rental units in Auburn. Staff will determine guidelines to ensure Items purchased and installed are for use in Auburn homes and apartments.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: July 19, 2021 Order 75-07192021 was the initial enactment of the program.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Current program statistics.

Sustainable Auburn Program
Statistics

Total Applicants	66
Total Funds Dibursed	$ 45,225.00

Use of funds

Hybrid HW heater	20
Tier One Heat Pump	12
Tier Two Heat Pump	22
Washer	9
Air Purifier	1
Bio Mass Boiler	1
Insulation	1

ORDER 39-03072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn reallocate Fifty Thousand Dollars ($50,000) of the original ARPA Funds ($250,000) allocated under order 75-07192021 to be used for Maine residents owning rental property in Auburn for the same purposes and benefits.

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Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
"Maine's City of Opportunity"
Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **January 2022 Financial Report**

DATE: **February 7, 2022**

The following is a discussion regarding the significant variances found in the City's January financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 58.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through January 31st, including the school department were $57,008,701 or 59.73%, of the budget. The municipal revenues including property taxes were $38,628,892, or 59.29% of the budget which is less than the same period last year by 0.12%. The accounts listed below are noteworthy.

A. The current year tax revenue is at 57.84% as compared to 58.17% last year. This is a $59,433 increase over last year. The second payment is due March 15th.

B. Excise tax for the month of January is at 59.05%. This is a decrease of $260,546 over FY 21. Our excise revenues for FY22 are 0.75% above projections as of January 31, 2022.

C. State Revenue Sharing at the end of January is 98.56% or $3,104,618. This is an increase of $1,011,942 over last January.

Expenditures

City expenditures through January 2022 were $31,450,440, or 66.77%, of the budget. This is a decrease of 0.02% less than the same period last year. The percentage of expenditures is lower, but dollars are higher due to the higher budget. Noteworthy variances are:

A. Administration is higher than last year by 2.52%. The major increases are Communications & Technology and Human Resources budgets being higher than last year.

B. Public Safety is higher due to both Police and Fire/EMS are higher.

C. Public Works is higher due to Winter Storm operations and overtime.

Investments

This section contains an investment schedule as of January 31st. Currently the City's funds are earning an average interest rate of 0.15% compared to .58% in 2021.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of January 2022, December 2021, and June 2021

	January 31 2022	December 31 2021	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 20,392,763	$ 22,235,704	$ (1,842,941)	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,165,145	1,196,474	(31,329)	1,895,710
TAXES RECEIVABLE-CURRENT	21,084,942	21,795,718	(710,776)	55,238
DELINQUENT TAXES	405,055	401,870	3,185	809,349
TAX LIENS	609,838	747,604	(137,766)	1,091,138
NET DUE TO/FROM OTHER FUNDS	2,495,595	927,093	1,568,502	-
TOTAL ASSETS	**$ 46,153,338**	**$ 47,304,463**	**$ (1,151,125)**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (2,266)	$ (1,897)	$ (369)	$ (985,754)
PAYROLL LIABILITIES	1,609,155	1,933,735	(324,580)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(45,274)	(34,982)	(10,292)	-
ESCROWED AMOUNTS	(141,194)	(29,183)	(112,011)	(27,653)
DEFERRED REVENUE	(21,925,101)	(22,770,564)	845,463	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (20,504,771)**	**$ (20,902,982)**	**$ 398,211**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (22,850,931)	$ (23,603,845)	$ 752,914	$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
TOTAL FUND BALANCE	**$ (25,648,567)**	**$ (26,401,481)**	**$ 752,914**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (46,153,338)**	**$ (47,304,463)**	**$ 1,151,125**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH January 31, 2022 VS January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU Jan 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 28,945,366	57.84%	$ 49,655,498	$ 28,885,933	58.17%	$ 59,433
PRIOR YEAR TAX REVENUE	$ -	$ 475,800		$ -	$ 481,767		$ (5,967)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 2,612,890	59.05%	$ 4,112,861	$ 2,873,436	69.86%	$ (260,546)
PENALTIES & INTEREST	$ 120,000	$ 62,130	51.78%	$ 150,000	$ 67,866	45.24%	$ (5,736)
TOTAL TAXES	$ 56,237,450	$ 33,386,235	59.37%	$ 55,338,359	$ 33,714,542	60.92%	$ (328,307)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 173,417	104.47%	$ 166,000	$ 139,609	84.10%	$ 33,808
NON-BUSINESS	$ 300,200	$ 214,588	71.48%	$ 392,400	$ 239,821	61.12%	$ (25,233)
TOTAL LICENSES	$ 466,200	$ 388,005	83.23%	$ 558,400	$ 379,430	67.95%	$ 8,575
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 3,104,618	98.56%	$ 2,708,312	$ 2,092,676	77.27%	$ 1,011,942
WELFARE REIMBURSEMENT	$ 90,656	$ 25,852	28.52%	$ 90,656	$ 21,704	23.94%	$ 4,148
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 10,269	32.09%	$ 5,494
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 3,567,825	91.69%	$ 3,459,352	$ 2,545,502	73.58%	$ 1,022,323
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 105,324	57.12%	$ 198,440	$ 88,673	44.69%	$ 16,651
PUBLIC SAFETY	$ 176,600	$ 82,574	46.76%	$ 181,600	$ 80,280	44.21%	$ 2,294
EMS TRANSPORT	$ 1,250,000	$ 841,078	67.29%	$ 1,200,000	$ 668,864	55.74%	$ 172,214
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,028,975	63.87%	$ 1,580,040	$ 837,817	53.03%	$ 191,158
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 25,750	62.05%	$ 55,000	$ 15,455	28.10%	$ 10,295
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 13,268	33.17%	$ 80,000	$ 32,095	40.12%	$ (18,827)
RENTS	$ 125,000	$ 7,839	6.27%	$ 35,000	$ 28,632	81.81%	$ (20,793)
UNCLASSIFIED	$ 20,000	$ 25,150	125.75%	$ 10,000	$ 134,101	1341.01%	$ (108,951)
COMMERCIAL SOLID WASTE FEES	$ -	$ 37,877		$ -	$ 37,667		$ 210
SALE OF PROPERTY	$ 120,000	$ 2,936	2.45%	$ 25,000	$ 70,147	280.59%	$ (67,211)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 135,398	57.86%	$ 230,000	$ 115,750	50.33%	$ 19,648
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 9,634	48.17%	$ 20,000	$ 8,877	44.39%	$ 757
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 232,102	8.00%	$ 2,838,673	$ 427,269	15.05%	$ (195,167)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 38,628,892**	59.29%	**$ 63,829,824**	**$ 37,920,015**	59.41%	**$ 708,877**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 17,894,242	61.92%	$ 26,217,074	$ 15,618,568	59.57%	$ 2,275,674
EDUCATION	$ 518,821	$ 471,335	90.85%	$ 717,415	$ 259,073	36.11%	$ 212,262
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ 14,232	1.62%	$ 970,862	$ -	0.00%	$ 14,232
TOTAL SCHOOL	$ 30,298,286	$ 18,379,809	60.66%	$ 27,905,351	$ 15,877,641	56.90%	$ 2,502,168
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 57,008,701**	**59.73%**	**$ 91,735,175**	**$ 53,797,656**	**58.64%**	**$ 3,211,045**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH January 31, 2022 VS January 31, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU Jan 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 80,660	76.93%	$ 99,000	$ 55,935	56.50%	$ 24,725
CITY MANAGER	$ 447,401	$ 320,034	71.53%	$ 776,095	$ 383,300	49.39%	$ (63,266)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 643,028	70.54%	$ 609,260	$ 517,262	84.90%	$ 125,766
CITY CLERK	$ 237,474	$ 135,130	56.90%	$ 216,946	$ 122,620	56.52%	$ 12,510
FINANCIAL SERVICES	$ 810,303	$ 440,050	54.31%	$ 751,849	$ 428,102	56.94%	$ 11,948
HUMAN RESOURCES	$ 220,250	$ 117,957	53.56%	$ 157,057	$ 86,559	55.11%	$ 31,398
TOTAL ADMINISTRATION	$ 2,731,915	$ 1,736,859	63.58%	$ 2,610,207	$ 1,593,778	61.06%	$ 143,081
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 449,636	49.93%	$ 1,339,047	$ 559,082	41.75%	$ (109,446)
ECONOMIC DEVELOPMENT	$ 108,469	$ 59,978	55.30%				$ 59,978
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 160,303	31.29%				$ 160,303
HEALTH & SOCIAL SERVICES	$ 119,875	$ 55,598	46.38%	$ 199,282	$ 72,389	36.32%	$ (16,791)
RECREATION & SPORTS TOURISM	$ 584,056	$ 335,439	57.43%	$ 520,474	$ 351,285	67.49%	$ (15,846)
PUBLIC LIBRARY	$ 1,052,163	$ 613,762	58.33%	$ 1,031,533	$ 687,689	66.67%	$ (73,927)
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 1,674,716	51.10%	$ 3,090,336	$ 1,670,445	54.05%	$ 4,271
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 6,955,516	89.93%	$ 7,577,735	$ 6,859,092	90.52%	$ 96,424
FACILITIES	$ 677,872	$ 457,614	67.51%	$ 667,494	$ 437,758	65.58%	$ 19,856
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 3,752,241	51.16%	$ 6,840,635	$ 3,723,435	54.43%	$ 28,806
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 11,807,771	70.07%	$ 16,189,004	$ 11,659,695	72.02%	$ 148,076
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 3,352,479	61.55%	$ 5,302,131	$ 3,118,696	58.82%	$ 233,783
POLICE DEPARTMENT	$ 4,343,924	$ 2,520,162	58.02%	$ 4,332,339	$ 2,450,191	56.56%	$ 69,971
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 5,872,641	59.98%	$ 9,634,470	$ 5,568,887	57.80%	$ 303,754
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 2,739,695	53.96%	$ 4,979,329	$ 2,567,678	51.57%	$ 172,017
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 497,355	45.63%	$ 1,051,318	$ 526,902	50.12%	$ (29,547)
WATER AND SEWER	$ 792,716	$ 585,902	73.91%	$ 792,716	$ 585,902	73.91%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 3,822,952	54.93%	$ 6,823,363	$ 3,680,482	53.94%	$ 142,470
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 176,115	99.50%	$ 170,000	$ 167,110	98.30%	$ 9,005
E911 COMMUNICATION CENTER	$ 1,161,479	$ 870,941	74.99%	$ 1,134,304	$ 850,916	75.02%	$ 20,025
LATC-PUBLIC TRANSIT	$ 225,000	$ -	0.00%	$ 331,138	$ -	0.00%	$ -
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,057,056	57.65%	$ 1,905,442	$ 1,028,026	53.95%	$ 29,030
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 31,450,440**	**66.77%**	**$ 45,932,563**	**$ 30,676,874**	**66.79%**	**$ 773,566**
EDUCATION DEPARTMENT	$ 48,341,366	$ 18,361,000	37.98%	$ 45,802,612	$ 20,831,516	45.48%	$ (2,470,516)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 49,811,440**	**52.19%**	**$ 91,735,175**	**$ 51,508,390**	**56.15%**	**$ (1,696,950)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF January 31, 2022

INVESTMENT		FUND	BALANCE January 31, 2022	BALANCE December 31, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,347,517.59	$ 6,344,838.15	**0.15%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,531.28	$ 1,051,084.98	**0.15%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 12,266,660.74	$ 9,487,185.88	**0.15%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,530.62	$ 52,508.32	**0.15%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,645.02	$ 339,500.87	**0.15%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,783.08	$ 226,686.84	**0.15%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,651.72	$ 62,625.14	**0.15%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 154,117.27	$ 142,357.48	**0.15%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,370.38	$ 15,363.86	**0.15%**
NOMURA		ELHS Bond Proceeds	$ 40,529,598.00	$ 48,303,196.00	**0.15%**
ANDROSCOGGIN BANK	5127	ARPA Funds	$ 6,002,958.81	$ 6,001,765.86	**0.15%**
GRAND TOTAL			**$ 67,049,364.51**	**$ 72,027,113.38**	**0.15%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	Beginning Balance 1/1/2022	January 2022 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 1/31/2022
Bluecross	**$ 19,810.94**	$ 5,044.60	$ (6,202.84)		$ (8,454.84)		**$ 10,197.86**
Intercept	**$ 100.00**	$ -	$ -				**$ 100.00**
Medicare	**$ 147,267.33**	$ 140,776.20	$ (37,467.30)		$ (99,306.23)		**$ 151,270.00**
Medicaid	**$ 59,629.53**	$ 54,005.60	$ (35,323.54)		$ (21,613.69)		**$ 56,697.90**
Other/Commercial	**$ 106,438.10**	$ 18,878.80	$ (21,105.47)		$ (11,427.52)		**$ 92,783.91**
Patient	**$ 135,191.78**	$ 11,443.60	$ (12,620.07)		$ 21,165.95	$ (30,449.11)	**$ 124,732.15**
Worker's Comp	**$ -**						**$ -**
TOTAL	**$ 468,437.68**	**$ 230,148.80**	**$ (112,719.22)**	**$ -**	**$ (119,636.33)**	**$ (30,449.11)**	**$ 435,781.82**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 65,946.47	3.20%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -	$ 1,000.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 1,219,130.83	59.14%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 434,901.30	21.10%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 236,063.69	11.45%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 97,549.85	4.73%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80	$ 6,808.00	0.33%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 2,061,400.14	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of January 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	68	2.88%
Intercept	0		4	4	1	1	0	10	0.42%
Medicare	244	172	227	174	226	186	168	1397	59.22%
Medicaid	82	54	100	64	80	48	60	488	20.69%
Other/Commercial	34	32	48	44	51	35	20	264	11.19%
Patient	45	19	12	13	15	10	11	125	5.30%
Worker's Comp	1	0	2	1	0	0	3	7	0.30%
TOTAL	416	287	406	305	385	293	267	2359	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of December 31, 2021

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 6,859.32	67%	$ -	0%	$ -	0%	$ 88.39	1%	$ 3,250.15	32%	$ 10,197.86	2.34%
Intercept	$ -		$ 100.00								$ 100.00	0.02%
Medicare	$ 83,884.00	55%	$ 18,898.27	12%	$ 13,700.20	9%	$ 8,057.20	5%	$ 26,730.33	18%	$ 151,270.00	34.71%
Medicaid	$ 22,573.23	40%	$ 29,815.56	53%	$ 1,565.97	3%	$ 1,247.03	2%	$ 1,496.11	3%	$ 56,697.90	13.01%
Other/Commercial	$ 25,761.89	28%	$ 31,396.52	34%	$ 6,866.24	7%	$ 5,728.02	6%	$ 23,031.24	25%	$ 92,783.91	21.29%
Patient	$ 35,090.15	28%	$ 20,628.21	17%	$ 27,126.21	22%	$ 27,790.74	22%	$ 14,096.84	11%	$ 124,732.15	28.62%
Worker's Comp	$ -										$ -	0.00%
TOTAL	$ 174,168.59		$ 100,838.56		$ 49,258.62		$ 42,911.38		$ 68,604.67		$ 435,781.82	
	40%		23%		11%		10%		16%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of January 31, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 44,908.78	$ 264.00	$ 482.42		$ 1,942.39	$ 245.00				$ 15,676.00	$ 157,242.00	$ 109,031.40	$ 2,851.40	$ 6,652.50	$ 2,416.38	$ 6,828.83
Expenditures FY22	$ 143,018.00	$ 39.98			$ 2,389.74	$ 730.38			$ 124.21	$ 15,676.00	$ 277,563.74	$ 125,234.49	$ 2,801.38	$ -	$ 2,379.07	$ 10,506.18
Fund Balance 1/31/2022	**$ 501,095.97**	**$ 6,760.98**	**$ 34,848.77**	**$ 1,221.68**	**$ 4,684.03**	**$ (485.38)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ 11,428.47**	**$ (128,948.57)**	**$ 7,025.16**	**$ 19,248.75**	**$ 4,356.29**	**$ (856.42)**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 1,142.33	$ 300.00	$ 252,228.73	$ 1,103.93	$ 37,542.00		$ 8,358.37			$ 9,886.13	$ 8,254.01			$ 8,000.00	$ 23.90	$ 181,778.78
Expenditures FY22	$ 1,366.04		$ 440,331.39		$ 51,094.86	$ (2,600.00)	$ 1,689.97		$ 2,351.72	$ 9,886.13	$ 2,280.00	$ 780.00		$ 7,996.88	$ 4,000.00	$ 237,246.04
Fund Balance 1/31/2022	**$ (223.71)**	**$ (8,205.29)**	**$ 1,514,859.03**	**$ 31,674.25**	**$ (713.52)**	**$ 2,560.00**	**$ 9,397.55**	**$ 20,536.23**	**$ 23,895.32**	**$ -**	**$ 98,998.45**	**$ (780.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 24,513.44**	**$ 169,627.56**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22								$ (3,111.14)	$ 47,000.00		$ 1,939.47		$ 182,531.40
Expenditures FY22	$ 1,304.77	$ 2,062.28	$ -	$ (1,610.17)		$ 23,325.00		$ 17,055.95	$ 21,646.39		$ 283,535.21	$ 2,736.00	$ 325,012.63
Fund Balance 1/31/2022	**$ 4,911.03**	**$ (2,062.28)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,388.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,491,303.76**	**$ (2,736.00)**	**$ 109,842.46**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,952,883.65
Expenditures FY22			$ 321,608.99	$ 217,459.00	$ 77,327.19	$ 510,286.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 141,180.08	$ 25,046.84	$ 24,946.75	$ 3,408,316.31
Fund Balance 1/31/2022	**$ 158,933.46**	**$ 806,274.01**	**$ 262,382.30**	**$ (506,843.49)**	**$ 532,821.84**	**$ (819,678.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 75,180.65**	**$ 22,987.84**	**$ (101,927.06)**	$ 7,774,523.23

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for January 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of January 31, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of January 31, 2022.

Current Assets:
As of the end of January 2022 the total current assets of Ingersoll Turf Facility were $226,735. This consisted of cash and cash equivalents of $226,735.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of January 31, 2022, were $89,514.

Liabilities:
Ingersoll had no accounts payable as of January 31, 2022, and an interfund payable of $26,583.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through January 2022 are $108,013. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through January 2022 were $85,185. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Ingersoll has an operating gain of $22,828 compared to a net gain in December of $12,868.

As of January 31, 2022, Ingersoll has a increase in net assets of $22,828.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
January 31, 2022
Business-type Activities - Enterprise Fund

		January 31, 2022	December 31, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,735	$ 226,687	$ 48
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,735	226,687	48
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,249	316,201	48
LIABILITIES				
Accounts payable		$ -	$ 1,740	(1,740)
Interfund payable		$ 26,583	$ 34,755	(8,172)
Total liabilities		26,583	36,495	(9,912)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 200,152	$ 190,192	$ 9,960
Total net assets		**$ 289,666**	**$ 279,706**	**$ 9,960**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
Jamuary 31, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 108,013
Operating expenses:	
Personnel	58,751
Supplies	8,832
Utilities	9,680
Repairs and maintenance	2,522
Rent	-
Depreciation	-
Capital expenses	5,400
Other expenses	-
Total operating expenses	85,185
Operating gain (loss)	22,828
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	22,828
Transfers out	-
Change in net assets	22,828
Total net assets, July 1	266,838
Total net assets, January 31, 2022	**$ 289,666**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 5,775	23.10%	$ 25,000	$ 8,825	35.30%
Batting Cages	$ 16,000	$ 11,091	69.32%	$ 13,000	$ 9,280	71.38%
Programs	$ 94,000	$ 30,941	32.92%	$ 90,000	$ 2,337	2.60%
Rental Income	$ 138,000	$ 59,853	43.37%	$ 102,000	$ 31,177	30.57%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 107,660	39.44%	$ 230,000	$ 51,619	22.44%
INTEREST ON INVESTMENTS	$ -	$ 353		$ -	$ 891	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 108,013**	**39.57%**	**$ 230,000**	**$ 52,510**	**22.83%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through January 31, 2022 compared to January 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU JAN 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 58,751	44.16%	$ 187,546	$ 75,847	40.44%	$ (17,096)
Purchased Services	$ 15,750	$ 2,522	16.01%	$ 14,450	$ 2,225	15.40%	$ 297
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 8,832	353.28%	$ 4,000	$ 718	17.95%	$ 8,114
Utilities	$ 24,150	$ 9,680	40.08%	$ 25,650	$ 7,192	28.04%	$ 2,488
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,400		$ -	$ -		$ 5,400
	$ 191,741	$ 85,185	44.43%	$ 250,146	$ 85,982	34.37%	$ (797)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 85,185**	**44.43%**	**$ 250,146**	**$ 85,982**	**34.37%**	**$ (797)**

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for January 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of January 31, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, December 31, 2020.

Current Assets:
As of the end of January 2022 the total current assets of Norway Savings Bank Arena were ($1,163,208). These consisted of cash and cash equivalents of $269,729, accounts receivable of $157,621, and an interfund payable of $1,590,558.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of January 31, 2022, were $195,258.

Liabilities:
Norway Arena had no accounts payable as of January 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through January 2022 are $606,964. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through January 2022 were $339,065. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of January 2022, Norway Arena has an operating and net gain of $267,899.

As of January 31, 2022, Norway Arena has an increase in net assets of $267,899.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $271,996 more than in FY21 and expenditures in F22 are $33,995 less than last year in January.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
January 31, 2022
Business-type Activities - Enterprise Fund

		January 31, 2022	December 31, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 269,729	$ 265,152	$ 4,577
Interfund receivables		$ (1,590,558)	$ (1,661,895)	$ 71,337
Prepaid Rent				$ -
Accounts receivable		157,621	12,068	$ 145,553
	Total current assets	(1,163,208)	(1,384,675)	221,467
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(967,950)	(1,189,417)	221,467
LIABILITIES				
Accounts payable		$ -	$ 1,710	$ (1,710)
Net OPEB liability		$ 43,811	$ 43,811	$ -
Net pension liability		42,634	42,634	-
Total liabilities		86,445	88,155	(1,710)
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,249,653)	$ (1,472,830)	$ 223,177
Total net assets		**$ (1,054,395)**	**$ (1,277,572)**	**$ 223,177**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
January 31, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 606,964
Operating expenses:	
Personnel	124,123
Supplies	39,952
Utilities	124,102
Repairs and maintenance	19,948
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	339,065
Operating gain (loss)	267,899
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	267,899
Transfers out	-
Change in net assets	267,899
Total net assets, July 1	(1,322,294)
Total net assets, January 31, 2022	**$ (1,054,395)**

CITY OF AUBURN, MAINE

REVENUES - NORWAY SAVINGS BANK ARENA

Through January 31, 2022 compared to January 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU JAN 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 10,750	65.15%	$ 16,500		0.00%	$ 10,750
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 494	24.70%	$ 3,000		0.00%	$ 494
Games Vending Machines	$ 3,000	$ 953	31.77%	$ 3,000		0.00%	$ 953
Vending Food	$ 2,000	$ 148	7.40%	$ 3,000	$ 5	0.17%	$ 143
Sponsorships	$ 185,000	$ 116,051	62.73%	$ 230,000	$ 89,950	39.11%	$ 26,101
Pro Shop	$ 7,000	$ 3,339	47.70%	$ 7,000	$ 4,503	64.33%	$ (1,164)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 683,500	$ 449,944	65.83%	$ 727,850	$ 226,550	31.13%	$ 223,394
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 13,960	27.92%	$ 10,900
Tournaments	$ 50,000		0.00%	$ 55,000		0.00%	$ -
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 606,964	59.22%	$ 1,122,850	$ 334,968	29.83%	$ 271,996

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through January 31, 2022 compared to January 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU JAN 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU JAN 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 124,123	36.57%	$ 328,913	$ 142,781	43.41%	$ (18,658)
Purchased Services	$ 123,928	$ 50,888	41.06%	$ 120,000	$ 71,578	59.65%	$ (20,690)
Supplies	$ 79,000	$ 39,952	50.57%	$ 83,000	$ 41,689	50.23%	$ (1,737)
Utilities	$ 250,350	$ 124,102	49.57%	$ 244,650	$ 117,012	47.83%	$ 7,090
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 339,065	40.60%	$ 826,563	$ 373,060	45.13%	$ (33,995)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 339,065**	**40.60%**	**$ 826,563**	**$ 373,060**	**45.13%**	**$ (33,995)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 7, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
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(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
March 21, 2022
Auburn Hall, Council Chambers

5:30 P.M. Joint School Committee & City Council Workshop

A. Joint City/School CIP Presentation – Dr. Connie Brown and Phil Crowell (15 minutes)

5:45 P.M. City Council Workshop

B. Forestry Board Street Tree Requirements – Dana Staples & Dave Griswold (15 minutes)
C. Tri County Mental Health – Jennifer Edwards & Glen Holmes (20 minutes)
D. Proposed Charter Amendments – Phil Crowell (10 minutes)
E. Executive session – Economic development (Lewiston), pursuant to 1 M.R.S.A. Sec. 405(6)(C)
F. Executive session – Economic development, pursuant to 1 M.R.S.A. Sec. 405(6)(C) ***with possible action to follow under New Business***

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Gerry

Pledge of Allegiance

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

1. Order 40-03212022*
Appointing David Griswold to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2025.

2. Order 41-03212022*
Appointing Ralph Harder to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

3. Order 42-03212022*
Appointing William Sylvester to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

4. Order 43-03212022*
Appointing Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2023.

5. Order 44-03212022*
Re-appointing Karen Scammon as the City Assessor with a term expiration of January 31, 2023.

II. Minutes – March 7, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Sports Facilities Management Study
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 08-03072022
Amending the Zoning Map and Adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map. Second reading.

2. Ordinance 09-03072022
Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. Second reading.

3. Ordinance 10-03072022
Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). Second reading.

4. Order 34-03072022
Authorizing loans of up to $1,298,488 through the State School Revolving Renovation Fund. Public hearing and second reading. ***Passage requires an affirmative vote of five Councilors.***

VI. New Business

1. Ordinance 11-03212022
Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2). First Reading.

2. Ordinance 12-03212022
Amending the Code of Ordinance, Sec. 2-255. Appointment; term (of the Assessor). Public hearing and first reading.

3. Order 45-03212022

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

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – February 2022 Final Monthly Report

IX. Executive Session - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: City and School CIP Presentation

Information: Superintendent, Dr. Connie Brown and City Manager, Phil Crowell will present the CIP (Capital Improvement Program) to the City Council.

City Budgetary Impacts: To be determined

Staff Recommended Action: Presentation and discussion

Previous Meetings and History: Annually as outlined in the City Charter.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022

Author: Brian Wood on behalf of City Councilor Dana Staples

Subject: Forestry Board and Tree Requirements Update

Information: The Forestry and Tree Requirements committee has requested to provide an update to City Council per their charge.

City Budgetary Impacts: N/A

Staff Recommended Action: Presentation and discussion

Previous Meetings and History: N/A

City Manager Comments: N/A

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 3/21/2022

Author: Jennifer Edwards, Public Health Manager

Subject: Project Support You - Co-responder program for Auburn

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Information: Please see attached PowerPoint which outlines the Project Support You Auburn program being proposed by Public Health along with supporting data showing the need for this program. The program will address the needs of community members experiencing homelessness and housing instability, poor mental health, substance use disorders, and instability while supporting our first responders who are currently on the front lines encountering these complex issues in our community every day.

City Budgetary Impacts: None

Staff Recommended Action: To approve $300,000 in ARPA funds for a two-year pilot program that will provide direct services to improve our response to community needs while collecting data to secure future funding for longer term program sustainability.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

PSY Co-Responder Program

Public Health

Project Support You - Auburn

We are here to request a total of $300,000 in ARPA funds for a two-year pilot of "Project Support You - Auburn," (PSY Auburn)

The program design is based on best practices from other programs used nationally to better meet the needs of individuals struggling with homelessness, mental illness, substance misuse, and access to care while reducing the number of calls for service our police and paramedic teams respond to from frequent system utilizers through diversion to longer term, sustainable, and appropriate support services.

auburnmaine.gov

Program Description

PSY is a "boots on the ground" service that would employ a TCMHS employee to be shared between AFD and APD to respond ***with*** our first responder teams in real time.

The PSY worker will follow-up on needs identified by AFD and APD that would benefit individuals utilizing services and in need of community supports.

auburnmaine.gov

Maine Shared CHNA

The Maine Shared Community Health Needs Assessment (MSCHNA) report data for 2021 have been compiled, and the data on the state's interactive portal is now available.

The interactive portal can be accessed here: https://www.maine.gov/dhhs/mecdc/phdata/MaineCHNA/maine-interactive-health-data.shtml

Social Determinants of Health

Indicator	Androscoggin	Maine
Individuals living in poverty	**2015-2019 11.8%**	2019 10.9%
Children living in poverty	**2019 15.3%**	2019 13.8%
Median household income	**2015-2019 $53,509**	2019 $58,924
Households that spend more than 50% of income towards housing	**2015-2019 10.9%**	2015-2019 12.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Social Determinants of Health

Indicator	Androscoggin	Maine
Housing insecure (high school students)	**2019** **4.4%**	2019 3.3%
Adverse childhood experiences (high school students reporting at least four out of nine ACEs)	**2019** **22.5%**	2019 21.3%
Children eligible for free or reduced lunch	**2021** **60.9%**	2021 38.2%

Source: Maine Interactive Health Data: [Maine Interactive Health Data | MeCDC | Maine DHHS](), accessed 2/1/2022

Mental Health

Indicator	Androscoggin	Maine
Depression, current symptoms (adults)	**2015-2017 11.2%**	2017 9.6%
Anxiety, lifetime	**2015-2017 26.3%**	2017 21.8%
Ratio of population to psychiatrists	**2019 19,079.0**	2019 12,985.0

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Mental Health - Youth

Indicator	Androscoggin	Maine
Sad/hopeless for two weeks in a row (high school students)	**2019 34.1%**	2019 32.1%
Seriously considered suicide (high school students)	**2019 18.7%**	2019 16.4%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes – Mental Health

Indicator	Androscoggin	Maine
Mental health emergency department rate per 10,000 population	**2016-2018** **278.8**	2018 170.6
Suicide deaths per 100,000 population	**2015-2019** **18.9**	2019 19.4

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Chronic heavy drinking (adults)	**2015-2017 6.5%**	2017 8.9%
Past-30-day alcohol use (high school students)	**2019 18.2%**	2019 22.9%
Binge drinking (high school students)	**2019 6.2%**	2019 8.2%
Past-30-day marijuana use (adults)	**2017 15.9%**	2017 16.3%
Past-30-day marijuana use (high school students)	**2019 21.5%**	2019 22.1%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Past-30-day misuse of prescription drugs (high school students)	**2019** **5.5%**	2019 5.0%
Past-30-day misuse of prescription drugs (middle school students)	**2019** **4.1%**	2019 3.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
Drug-induced deaths per 100,000 population	**2015-2019 28.4**	2019 31.3
Alcohol-induced deaths per 100,000 population	**2016 20.1**	2019 11.3
Overdose deaths per 100,000 population	**2020 47.9**	2020 37.3

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
"Overdose emergency medical service responses per 10,000 population"	**2020** **108.1**	2020 76.7
"Opiate poisoning emergency department rate per 10,000 population"	**2016-2018** **9.7**	2018 8.6
"Opiate poisoning hospitalizations per 10,000 population (ICD-10)"	**2016-2018** **1.5**	2018 1.2

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Fatal Overdoses in Androscoggin County

2009	17
2010	15
2011	12
2012	17
2013	14
2014	27
2015	27
2016	35
2017	24
2018	34
2019	33
2020	52
2021	68*

2009 - Q1 2021	
Percent of population	8.06%
% of total fatal overdoses	9.34%
Total incidents per 1,000 people	2.89

2009 - Q1 2021 by age group	
0-20	2.13%
21-30	15.85%
31-40	26.83%
41-50	26.22%
51-60	22.26%
60+	6.71%

*Notes: 2021 total only includes data through November, and contains both suspected and confirmed overdoses. The data is still being confirmed through toxicology.

Data from Maine Drug Data Hub: www.mainedrugdata.org was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center at the request of Catherine Ryder, CEO at TCMHS.

auburnmaine.gov

Housing insecure youth

For the 2021-2022 school year, as of February 6, 2022, Auburn School Department's McKinney-Vento liaison had identified **58 confirmed students eligible for McKinney-Vento services** and another 22 students that were yet to be confirmed eligible.

The McKinney-Vento Act under federal law ensures homeless youth have access to educational stability and offers resource assistance such as transportation to and from school.

auburnmaine.gov

Chief Chase

"Our role as an EMS organization is not only to respond to medical emergencies, but to participate in the overall improvement of the health of our community. Substance use disorders and overdose deaths are quickly become the paramount public health issue. As an organization, and as a City, we need to find additional ways to address this growing public health crisis. This includes dedicating staff and resources with the specialized training needed to support those struggling with substance use disorders."

Robert Chase
Fire Chief, City of Auburn

2020 Operational Impacts: Auburn Fire Department High System Users

Operational Impacts of Auburn Fire Department High System Users

Address	Total Responses	Transports	Time in Hours Dedicated to Specific Patient*	Ambulance Mileage Incurred*	Notes
CASE 1	34	30	19.6	128	Repeat indication of ETOH use
CASE 2	29	28	14.2	103	Repeat Non-Emergent Complaints
CASE 3	29	27	17.5	95	Repeat Requests for Detox via EMS
CASE 4	20	20	12.3	76	Repeat Behavioral Health Requests
CASE 5	16	0	5.1	X	Repeat Requests for Lift Assists
CASE 6	16	10	5.3	41	Repeat Tox/Behavioral Health
Total Impact	**144**	**115**	**74**	**443**	

*Approximate Values

auburnmaine.gov

2020 data provided by Chief Chase on 11/3/2021 to Jennifer Edwards

2020 AFD Runs by Provider Impression – CFS that may benefit from PSY

Situation Provider Primary Impression (eSituation.11)	Number of Runs	Percent of Total Runs
Adult - No findings or Complaints (Z00.00)	274	35.63%
Behavioral - Psychiatric Episode (R45.89)	131	17.04%
Behavioral - Anxiety (F41.1)	91	11.83%
Tox - Alcohol use - with intoxication (F10.92)	87	11.31%
Tox - Overdose/Drug Ingestion (Non Opioid) (itICD.047)	36	4.68%
Tox - Opioid use - with Coma (F11.92)	35	4.55%
Child - No findings or Complaints (Z00.129)	31	4.03%
Behavioral - Suicide attempt (T14.91)	28	3.64%
Tox - Alcohol use (F10.9)	19	2.47%
Tox - Alcohol Use - withdrawal (F10.239)	16	2.08%
Tox - Opioid use - without Coma (F11.9)	10	1.30%
Behavioral - Excited Delirium (R41.0)	4	0.52%
Tox - Cannabis use (F12.9)	3	0.39%
Tox - Psychoactive substance related disorders (F19)	1	0.13%
Tox - Psychoactive substance use (F19.9)	1	0.13%
Tox - Stimulant related disorder (F15)	1	0.13%
Tox - Tricyclic antidepressants Overdose (T43.014)	1	0.13%
	Total: 769	**Total: 100.00%**

Chief Moen

“Our substance abuse disorder rates are growing. APD is responding to more and more overdose incidents. Dedicated staff to address this growing epidemic is vital to the safety of our City.”

Jason D. Moen

Chief of Police, Auburn Police Department

APD Data

Year	POL-PCF Medical/Mental	Psychiatric Problem	Psychiatric Problem - Alpha Ov	Total
⊞ **2017**	**60**	**17**	**5**	**82**
⊞ **2018**	**485**	**132**	**20**	**637**
⊞ **2019**	**553**	**115**		**668**
⊞ **2020**	**474**	**141**		**615**
⊟ **2021**	**364**	**146**		**510**
January	28	14		**42**
February	22	11		**33**
March	38	15		**53**
April	26	13		**39**
May	38	7		**45**
June	38	18		**56**
July	37	16		**53**
August	43	12		**55**
September	38	17		**55**
October	55	23		**78**
November	1			**1**
Total	**1936**	**551**	**25**	**2512**

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APD OD Data: 2020-2021

In 2021, Auburn PD responded to 55 overdoses at 51 calls for service; there were 54 overdoses in 2020.

- Seven of these 55 overdoses are known to have resulted in a death.
- 28 doses of Narcan were administered directly by Auburn PD to 24 victims at 22 calls for service.

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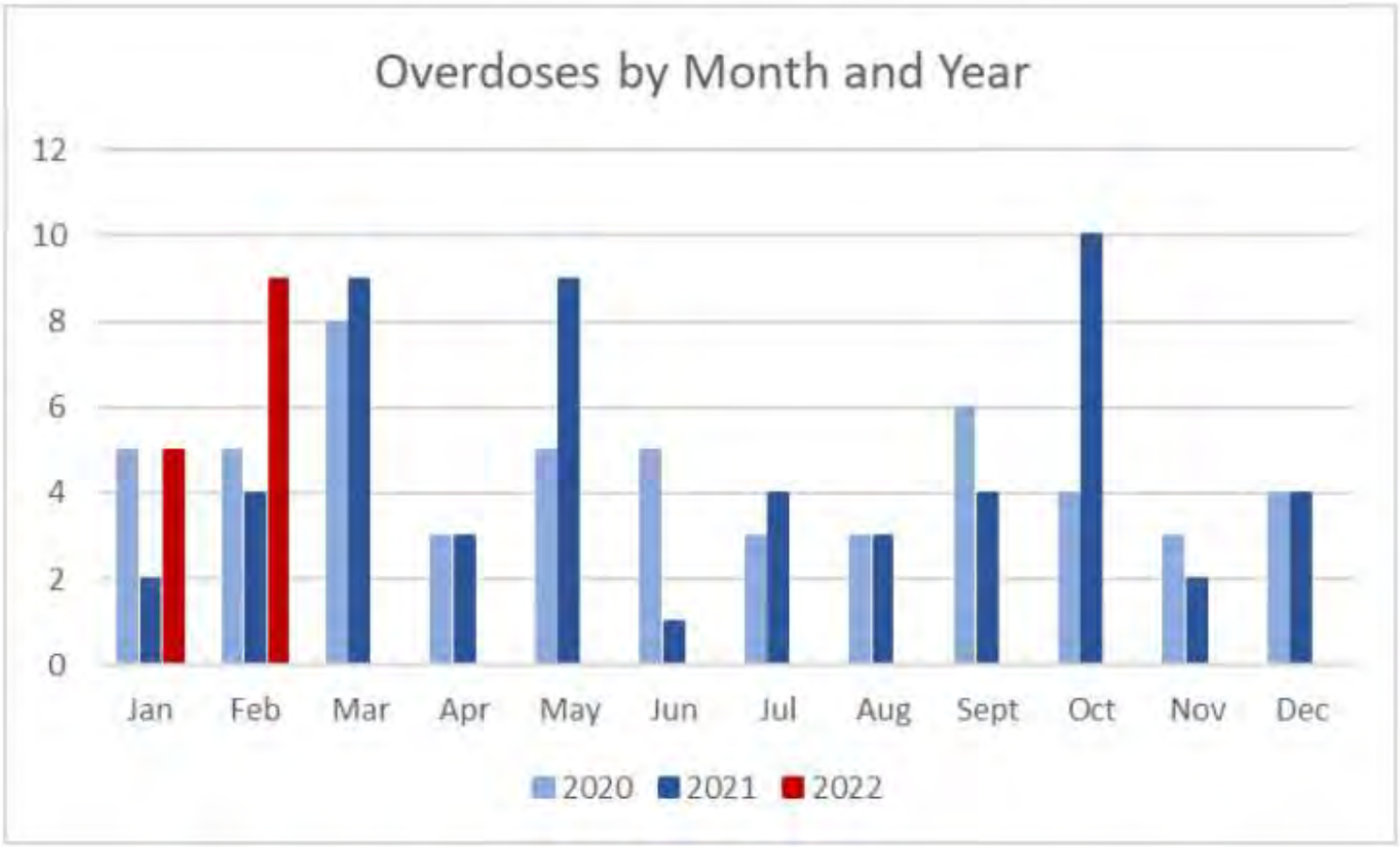
Feb. 2022 APD Data



Count of Overdoses, by month and year

Source: APD Overdose Report – February 2022, provided by Lt. Harrington of APD

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Currently…

- APD officers have been carrying Narcan since 2018
- APD's participation in Androscoggin County's Drug Take Back days dates back to 2010.
- The med drop box offers a safe place to drop off unused medications in the Auburn police department lobby, which can help prevent prescription drug misuse

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Homelessness Crisis Protocol

This program would also come at a critical time for APD, as they work to comply with the new Homelessness Crisis Protocol provided by the Attorney General to meet requirements of 17-A M.R.S. §18 [PL 2021, c. 393, §1].

Our officers regularly respond to calls from community members concerned about unhoused individuals in our community, living on the streets, tenting on private or public property, and looking for a place to stay warm during the cold winter months when the limited shelters available in Lewiston and Auburn are full.

Link to statue: Title 17-A, §18: Homelessness crisis protocol (mainelegislature.org)

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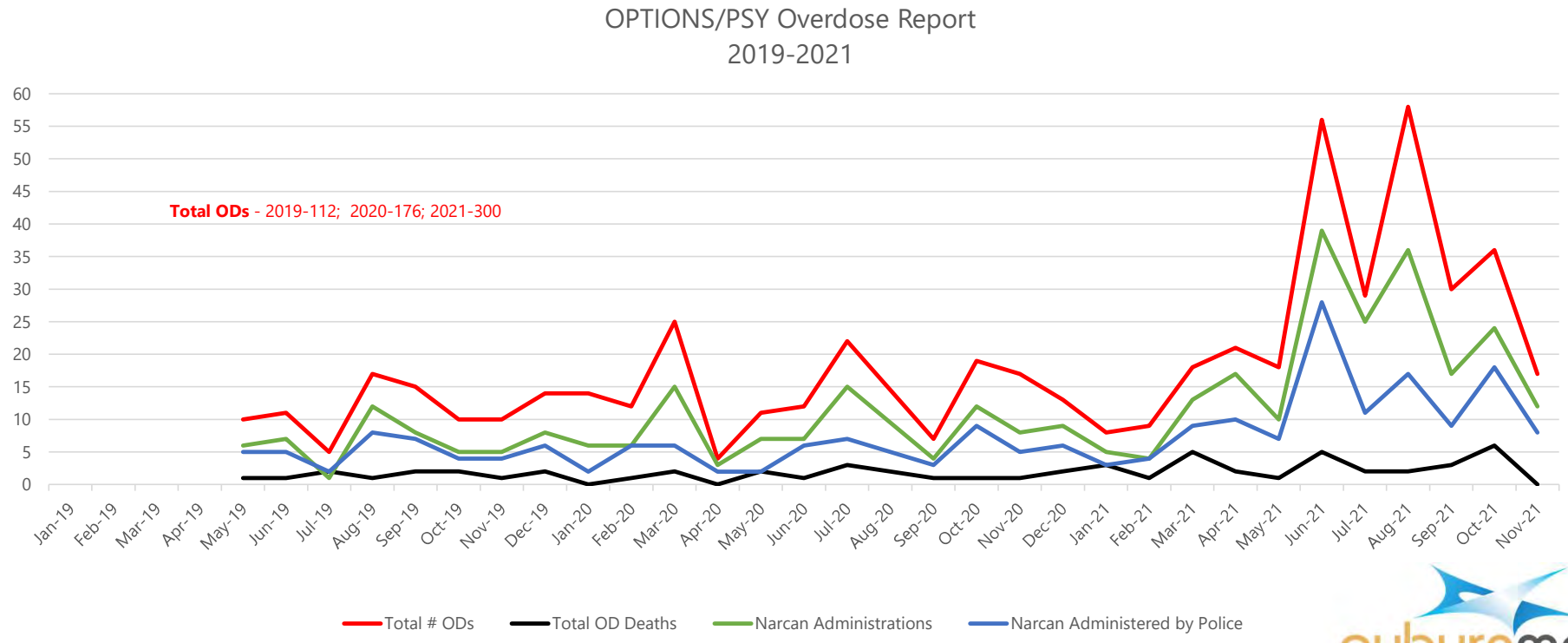
TCMHS Options/PSY Data



PSY success in Lewiston

Since 2018, the Lewiston Police Department has successfully employed this model – embedding mental health professionals from Tri-County Mental Health Services (TCMHS) within the police department to respond with and follow-up on needs in the community.

PSY-Auburn would be customized to meet the needs of Auburn, with a TCMHS PSY worker being shared between the Auburn Police Department and the Auburn Fire Department and working in close collaboration with the Public Health Manager. The PSY worker would remain an employee of TCMHS, and thus the program would also benefit from all the resources and programming of TCMHS.

Serving those who served…

According to SAMHSA's 2019 National Survey on Drug Use and Health in Veteran Adults:

- 3.9 Million (adult) Veterans had a mental illness and/or a substance use disorder (SUD), up 6.5% over 2018
- Of these, 2.3% (481K) struggled with both
- 1 in 4 struggled with illicit drug use
- 4 in 5 struggled with alcohol use
- 1 in 13 struggled with both
- Of those struggling with a mental illness, SAMHSA reported 1 in 4 had a severe mental illness.

Data Source: 2019 National Survey on Drug Use and Health: Veteran Adults. Published in September 2020 by the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, pg. 4. Accessed 3/11/2022: https://www.samhsa.gov/data/sites/default/files/reports/rpt31103/2019NSDUH-Veteran/Veterans%202019%20NSDUH.pdf

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Project Support You provides connection.

"Abby is pregnant, homeless, and using heroin daily. As a result of a call from a soup kitchen volunteer, TCMHS staff reach out to Abby to help connect her to medical care and emergency shelter housing. After repeated attempts to get her into residential treatment initially fails, TCMHS staff continue assertive contacts with her over ensuing weeks until Abby successfully agrees to detox treatment."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

Project Support You provides hope.

"Mary lived in a family that has experienced intergenerational trauma. She grew up in a home with an alcoholic father and began experimenting with substances in her early teens, leading to serious use as she moves through her teens into her 20s. Estranged from her family, Mary's substance misuse leads to repeated involvement with law enforcement, homelessness, and interactions with child protective services. In an effort to regain custody of her child, she enters a community program where she receives supports and job training. Despite her best efforts, exacerbated by the trauma experienced due to losing custody of her child, she relapses, becomes homeless again, and is arrested. TCMHS staff intervene to help her to access treatment, healthcare, job training, and housing. With their help, she restarts her path to recovery."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

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Treatment works, but it takes resources.

"It is vital to remember, always, that treatment works and recovery is possible. Just as we would not give up hope or fail to help someone with diabetes, cancer or heart disease, the same is true for those who live with mental illness or a substance use disorder. We can and must bring all resources available to bear, and create them when they are not, to help those in need. Every life is worth saving."

Catherine R. Ryder, LCPC, ACS
Chief Executive Officer, Tri-County Mental Health Services

Quote taken from Catherine Ryder's support letter for PSY-Auburn.

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Budget:

DESCRIPTION:	YEAR 1	YEAR 2	TOTAL
Tri-County Mental Health Services 1.4 FTE	98,000	98,000	196,000
Software, data analysis, and administrative support.	50,000	50,000	100,000
Misc. Program Supplies/Expenses	2,000	2,000	4,000
Total	150,000	150,000	300,000

The $98,000/year amount pays for a full-time position – including PTO and holidays. It provides some on-call for nights, weekends, and PTO time. It also pays for supervision, a laptop, encrypted phone, travel, and 20% overhead for Tri-County Mental Health Services.

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City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed Charter Amendments

Information: Sec. 2.8 of the City Charter states that the city council shall provide for the review of the city's charter and ordinances in their entirety at least once every 15 years.

A full review was done during several special meetings of the Council beginning in November 2020 and continuing into 2021. Proposed Charter amendments were discussed and reviewed by the City attorney. Before any changes are made, a public hearing must be held followed by a vote of the City Council.

Below is the proposed timeline, in accordance with State law:

March 28, 2022 – publish the notice of hearing (at least seven days before the public hearing is held).
April 4, 2022 - Public hearing to be held.
April 19th – Council to vote on submitting the proposed Charter amendments to the voters
June 14, 2022 – Election date (the election must be held at least 30 days after passage of the Council order).

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion, followed by a public hearing to be held April 4th, 2022 and Council vote on April 19th, 2022

Previous Meetings and History: Charter and ordinance review must be done at least once every 15 years.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Proposed Charter changes

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with Title 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) ***with possible action to follow under new business.***

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Orders:** 40-03212022 through 43-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing members of the Sustainability & Natural Resource Management Board (SNRB)

Information: The Sustainability & Natural Resource Management Board (SNRB) ordinance was recently adopted by the City Council. The board will consist of six members including representatives of the City Council, Planning Board, and four standing working groups on agriculture, conservation, community forest, and sustainability. These groups were asked to nominate one representative from each for approval by the City Council to serve on the SNRB. Nominees are as follows:

David Griswold – Community Forest
Ralph Harder – Sustainability
Jane Costlow – Conservation
William Sylvester – Agriculture

These members shall serve staggered three-year terms. Terms were assigned randomly by drawing. The Council may reassign if they choose to.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to approve the appointments as nominated by the working groups.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 40-03212022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints David Griswold to the Sustainability and Natural Resource Management Board with a term expiration of 4/1/2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 41-03212022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Ralph Harder to the Sustainability and Natural Resource Management Board with a term expiration of 4/1/2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 42-03212022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints William Sylvester to the Sustainability and Natural Resource Management Board with a term expiration of 4/1/2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 43-03212022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of 4/1/2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Order:** 44-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Re-appointment of Karen Scammon, City Tax Assessor

Information: The City is required to have a Tax Assessor to do the annual tax commitment and to perform other functions as required by State Statute. Section 2-255 of our City Ordinance states:

"The Tax Assessor shall be appointed by the City Council on the recommendation of the City Manager. The Tax Assessor shall be appointed for a two-year term."

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to re-appoint Karen Scammon as the City Tax Assessor for a two-year term ending 1/31/2023 as recommended by the City Manager.

Previous Meetings and History: Two-year appointment.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 44-03212022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Karen Scammon as the City Tax Assessor for a two-year term ending 1/31/2023 as recommended by the City Manager.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

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

1. **Order 31-03072022***
Re-appointing Jonathan LaBonté to the Lewiston Auburn Railroad Company Board of Directors with a three-year term of April 2022 - April 2025.

2. **Order 32-03072022***
Authorizing Jason Levesque to vote the shares held by any shareholder for the Lewiston Auburn Railroad Company.

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

Passage 7-0.

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

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

Passage 7-0.

III. **Communications, Presentations and Recognitions**

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

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

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

V. **Unfinished Business**

1. **Ordinance 07-02222022**
Adopting a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. **Second reading.**

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Order 33-03072022
Authorizing the fee waiver for Police Department detail coverage for the Trek Across Maine event.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 34-03072022
Authorizing loans of up to $1,298,488 through the State School Revolving Renovation Fund. First reading. ***Passage requires an affirmative vote of five at the second and final reading.***

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

Public comment – No one from the public spoke.

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

3. Order 35-03072022
Approving the TIF #26 North River Road Apartments Municipal Development Tax Increment Financing Development Program. **Public hearing and vote.**

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

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

Passage 7-0.

4. Ordinance 08-03072022
Amending the Zoning Map and Adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map. Public hearing and first reading.

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

Public hearing:

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

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

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

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

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

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

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

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

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

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

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

5. **Ordinance 09-03072022**
Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. **Public hearing and first reading.**

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

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

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

6. **Ordinance 10-03072022**
Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). **Public hearing and first reading.**

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

Public hearing – No one from the public spoke.

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

7. **Order 36-03072022**
Directing staff to draft residential zone amendments consistent with the Comprehensive Plan and to direct the Planning Board to review, hold public hearings on the proposed zone changes and forward recommendations to the Council.

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

Public comment – No one from the public spoke.

Passage 7-0.

8. **Order 37-03072022**
Allocating $500,000 of ARPA funds to relocate and expand the Business and Community Development Department (95 Main St.).
Motion was made by Councilor Milks and seconded by Councilor Whiting for passage.

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

Passage 7-0.

9. **Order 38-03072022**
Approving the allocation of $500,000 of ARPA funds to create and Economic Development Revolving Loan Pool.

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

Public comment – No one from the public spoke.

Passage 7-0.

10. **Order 39-03072022**

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

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VII. Reports (from sub-committees to Council)

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

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

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

Jill Eastman, Finance Director – January 2022 Final Monthly Report

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

Passage 7-0.

IX. Executive Sessions:

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

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

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

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

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

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

Passage 7-0, time 8:54 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire 3/10/2022

Susan Clements-Dallaire, City Clerk

CITY OF AUBURN, ME

REVIEW OF MARKET AND FEASIBILITY STUDY

THE SPORTS FACILITIES COMPANIES

CITY COUNCIL REVIEW

AGENDA

- SFC Company Overview
- Scope of Work and Approach
- Local and Regional Market Data
- Definitions of Success
- Facility Overview
- Financial Forecast
- Location Recommendations
- Key Assumptions and Notes
- Reactions, Discussion, and Next Steps

SCOPE OF WORK

STEP 1: Project Kick-Off

STEP 2: Data Collection and Market Analysis

STEP 3: Site Visit with Development Planning Session, Stakeholder Meetings, Park/Community/Site Tour

STEP 4: Detailed Financial Forecast (PRO FORMA)

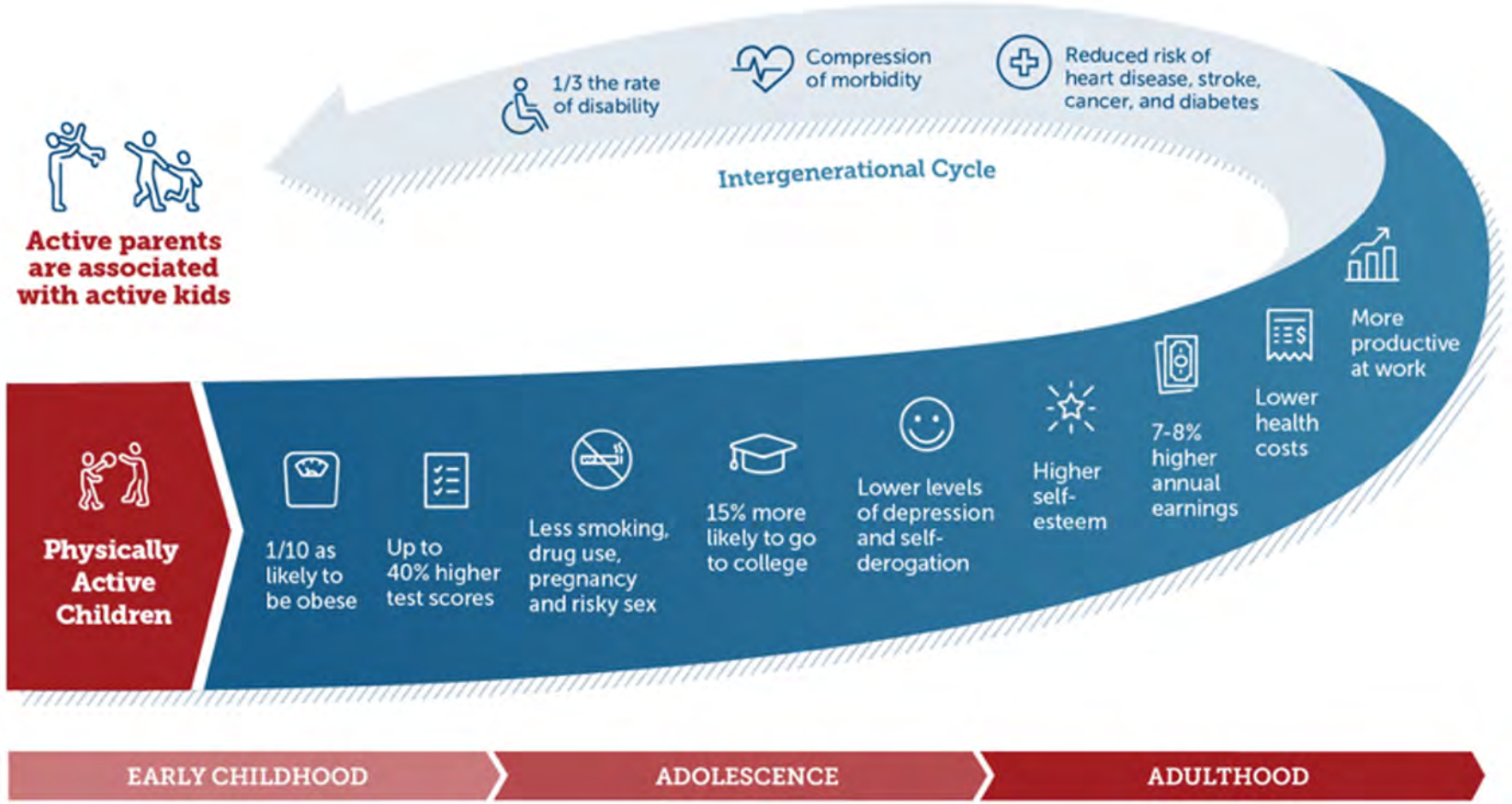
STEP 5: Economic Impact Analysis

STEP 6: Feasibility Report

STEP 7: Review and Delivery of Feasibility and Market Study

ANALYTICAL APPROACH

THE IMPACT OF ACTIVITY



Active Kids:

- Are Healthier Kids
- Excel Educationally
- Make Safer Decisions
- **Are Almost 6 Times as Likely to be Active Adults**

Active Adults:

- Earn More
- Are More Productive
- Have Lower Health Issues and Healthcare Costs
- **Are 2 Times as Likely to Have Active Kids**

DEFINITIONS OF SUCCESS

- **Create a best-in-market asset that features diverse, multi-generational, and flexible programming capabilities** such as sports, community, civic, school activities, etc. that **serves the community and a wide variety of potential partners and stakeholders, while maintaining the flexibility to adapt to future program needs.**
- Create a **driver of economic impact**, that supports existing local businesses by generating new room nights and supports the community by generating spending from non-local visitors.
- **Leverage revenue generating opportunities**, strategic partnerships, corporate sponsorships, and other development opportunities to **create a business model that creates a path for long-term sustainability**.

LOCAL & REGIONAL MARKET INSIGHTS

Category	10 minutes	15 minutes	30 minutes	60 minutes	90 minutes	240 minutes
Population	47,763	59,229	137,061	703,795	1,087,244	12,030,546
Growth Projections – Next 5 Years	+0.45%	+0.5%	+1.8%	+2.9%	+2.8%	+2.1%
Median Age (U.S. Median: 38.5)	38.0	39.5	42.1	43.9	44.7	41.4
Median HH Income (U.S. Median: $60,500)	$44,779	$50,706	$59,121	$63,904	$63,584	$77,557
Median HH Income % Above/Below Adjusted Cost of Living (Index: 86.5)	-15%	-7%	+18%			
Spending Rec. Lessons (U.S Avg.: $143)	$88.28	$93.52	$114.10	$125.89	$124.33	$174.89

PARTICIPATION INSIGHTS

Court Sports	Core Participant %	Participants (30 Minutes)	Participants (60 Minutes)	Participants (90 Minutes)	Participants (240 minutes)
Basketball	6.23%	8,545	43,876	67,781	750,005
Volleyball	1.65%	2,268	11,647	17,992	199,086
Gymnastics	1.22%	1,676	8,608	13,298	147,146
Archery	1.22%	1,674	8,594	13,276	146,903
Martial Arts	1.13%	1,543	7,924	12,241	135,450
Wrestling	1.08%	1,484	7,619	11,770	130,233
Futsal	0.69%	940	4,829	7,460	82,551
Pickleball	0.65%	896	4,601	7,107	78,641
Cheerleading	0.59%	805	4,136	6,389	70,694
TOTAL	**14.47%**	**19,831**	**101,833**	**157,314**	**1,740,709**

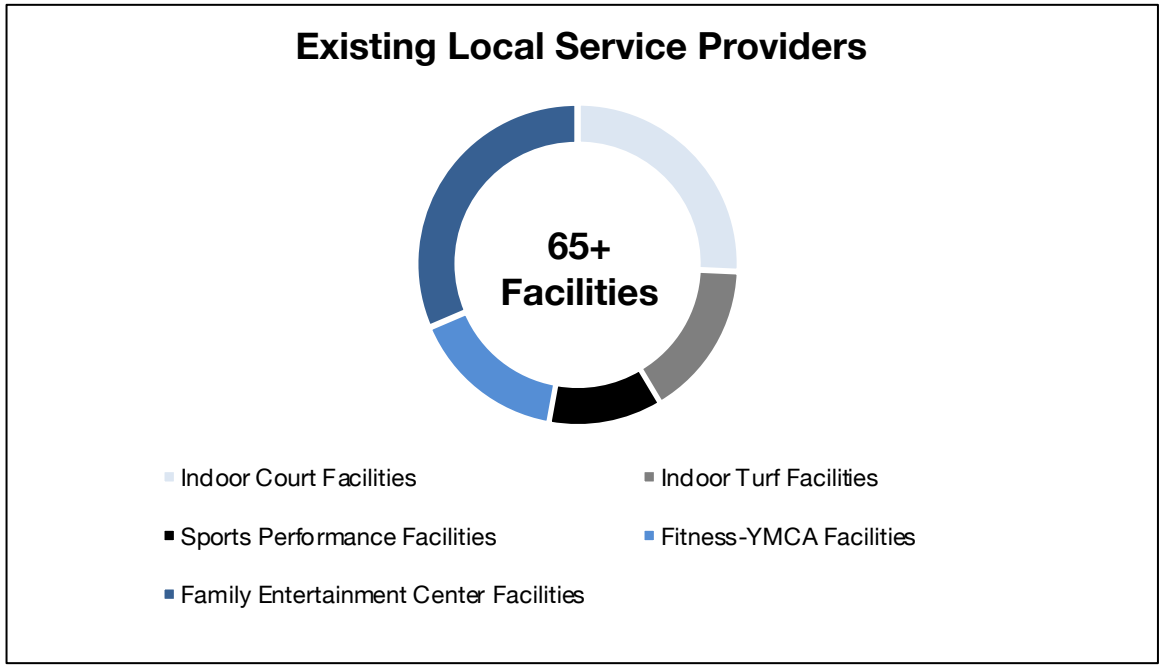
Grouping court sports together, new court-based assets in Auburn could serve approximately 14.47 percent of the regional population totaling over 1.7 million players of various sports including basketball, volleyball, and gymnastics.

PARTICIPATION INSIGHTS

Indoor Turf Sports	Core Participant %	Participants (30 Minutes)	Participants (60 Minutes)	Participants (90 Minutes)	Participants (240 minutes)
Soccer	4.22%	5,783	29,697	45,876	507,627
Baseball	3.97%	5,436	27,915	43,124	477,178
Softball	2.03%	2,785	14,301	22,092	244,453
Flag Football	1.10%	1,513	7,770	12,004	132,823
Lacrosse	0.54%	741	3,806	5,880	65,060
TOTAL	**11.86%**	**16,259**	**83,489**	**128,976**	**1,427,140**

Grouping indoor turf sports together, new turf-based assets in Auburn could serve approximately 11.86 percent of the regional population totaling almost 1.4 million players of various sports including soccer, flag football, and lacrosse.

COMPETITION DATA



COMPETITION DATA

Indoor Court Facilities	Drive Time (minutes)
Auburn-Lewiston YMCA	3
Merrill Gymnasium	9
Lewiston High School	9
Newbegin Community Center Gym	22

Indoor Turf Facilities	Drive Time (minutes)
Ingersoll Arena Turf Facility	7
Seacoast United Maine	36

Sports Performance Facilities	Drive Time (minutes)
Coastal Performance Training Facility	37
Beyond Strength	40
EA Fitness and Performance	40

Fitness-YMCA Facilities	Drive Time (minutes)
Auburn-Lewiston YMCA	3
Merrill Gymnasium	9
Orange Circuit Fitness	9

Family Entertainment Center Facilities	Drive Time (minutes)
Family Time Dine and Play	9
Sparetime Recreation Lewiston	11
Tabers Restaurant and Golf	13

RECOMMENDED FACILITY OVERVIEW & OPINION OF COST

THE SPORTS FACILITIES COMPANIES

INDOOR FACILITY – MULTI-SPORT

120,431 sq. ft. indoor facility

- 2 Basketball Courts
  - 4 volleyball courts
  - 6 pickleball courts
- Turf 225’ x 145’ Flex Field
  - 1 Youth 210’ x 130’ field
  - 3 Small-Sided 130’ x 65’ fields
  - 1 Baseball/softball infield
  - 6 batting cages
- 5,500 Family Entertainment Center
- 18,900 Fitness Center
- Mezzanine Walking Track
- Flex Space (Offices, Classrooms, etc.)
- 361 Parking Spaces
- 7.3 Total Acres

Indoor Athletic Facility

Space	Indoor Programming Product/Service	Count	Dimensions L (')	Dimensions W (')	Approx. SF each	Total SF	% of Footprint
Courts	Basketball Courts (actual courts 84' x 50')	2	104	80	8,320	16,640	13.8%
	Volleyball Courts	4	60	30	Over Basketball Courts		0.0%
	Total Court Sq. Ft.					16,640	13.8%
Turf	Turf Area	1	225	145	32,625	32,625	27.1%
	Youth Multi-Purpose Field	1	210	130	Over Turf Area		0.0%
	Small-Sided Multi-Purpose Field	3	130	65	Over Turf Area		0.0%
	Baseball/Softball Infield	1	135	135	Over Turf Area		0.0%
	Batting Cages/Pitching Tunnels	6	75	15	Over Turf Area		0.0%
	Total Turf Sq. Ft.					32,625	27.1%
FEC/Adventure	Arcade	1	-	-	2,600	2,600	2.2%
	Redemption Store	1	-	-	400	400	0.3%
	Esports (Lobby, Desk, Rooms)	1	-	-	2,500	2,500	2.1%
	Total FEC/Adventure Sq. Ft.					5,500	4.6%
Fitness Center	Fitness Center	1	100	100	10,000	10,000	8.3%
	Small Group Exercise Room	2	35	30	1,050	2,100	1.7%
	Large Group Exercise Room	1	50	40	2,000	2,000	1.7%
	Locker Rooms	2	45	40	1,800	3,600	3.0%
	Child Watch Room	1	40	30	1,200	1,200	1.0%
	Total Fitness Center Sq. Ft.					18,900	15.7%
Flex Space	Lobby/Welcome Area	1	40	30	1,200	1,200	1.0%
	Control Room	1	15	10	150	150	0.1%
	Ticket Office	1	10	10	100	100	0.1%
	Staff Offices	4	10	10	100	400	0.3%
	Office Area	1	40	30	1,200	1,200	1.0%
	Kitchen	1	30	30	900	900	0.7%
	Café Seating Area	1	40	30	1,200	1,200	1.0%
	Flex/Team Rooms	2	60	25	1,500	3,000	2.5%
	Ref Rooms	2	15	10	150	300	0.2%
	Restrooms	2	35	25	875	1,750	1.5%
	Leased Space - Medical & Sports Perf.	1	-	-	7,500	7,500	6.2%
	Mezzanine/Walking Track	1	540	12	6,480	6,480	5.4%
	Total Flex Space Sq. Ft.					24,180	20.1%
	Required SF for Products and Services					97,845	81.2%
	Mechanical, Electrical, Storage, etc.	10% of P&S SF (Excl. Leased Space)				9,035	7.5%
	Common Area, Stairs, Circulation, etc.	15% of P&S SF (Excl. Leased Space)				13,552	11.3%
	Total Estimated Indoor Athletic Facility SF					**120,431**	100%
	Estimated Building Footprint					**108,388**	
	Total Building Acreage					**2.5**	

THE SPORTS FACILITIES COMPANIES

COST ESTIMATE - MULTI-SPORT

USES OF FUNDS	
Land Cost	TBD
Hard Cost	$17,493,551
Field and Sport Equipment Cost	$3,394,960
Furniture, Fixtures, and Equipment	$1,455,429
Soft Costs Construction	$3,142,713
Soft Costs Operations	$1,565,085
Working Capital Reserve	TBD
Total Uses of Funds	**$27,051,740**

INDOOR FACILITY – TURF AND FITNESS

146,850 sq. ft. indoor facility

- Full Turf 320’ x 220’ Flex Field
  - 2 Youth 210’ x 130’ field
  - 2 Small-Sided 130’ x 65’ fields
  - 2 Baseball/softball infields
  - 6 batting cages
- 5,500 Family Entertainment Center
- 18,900 Fitness Center
- Mezzanine Walking Track
- Flex Space (Offices, Classrooms, etc.)
- 441 Parking Spaces
- 8.8 Total Acres

Indoor Athletic Facility

Space	Indoor Programming Product/Service	Count	Dimensions L (')	Dimensions W (')	Approx. SF each	Total SF	% of Footprint
Turf	Turf Area	1	320	220	70,400	70,400	47.9%
	Youth Multi-Purpose Field	2	210	130	Over Turf Area		0.0%
	Small-Sided Multi-Purpose Field	6	130	65	Over Turf Area		0.0%
	Baseball/Softball Infield	2	135	135	Over Turf Area		0.0%
	Batting Cages/Pitching Tunnels	6	75	15	Over Turf Area		0.0%
	Total Turf Sq. Ft.					70,400	47.9%
FEC	Arcade	1	-	-	2,600	2,600	1.8%
	Redemption Store	1	-	-	400	400	0.3%
	Esports (Lobby, Desk, Rooms)	1	-	-	2,500	2,500	1.7%
	Total FEC/Adventure Sq. Ft.					5,500	3.7%
Fitness Center	Fitness Center	1	100	100	10,000	10,000	6.8%
	Small Group Exercise Room	2	35	30	1,050	2,100	1.4%
	Large Group Exercise Room	1	50	40	2,000	2,000	1.4%
	Locker Rooms	2	45	40	1,800	3,600	2.5%
	Child Watch Room	1	40	30	1,200	1,200	0.8%
	Total Fitness Center Sq. Ft.					18,900	12.9%
Flex Space	Lobby/Welcome Area	1	40	30	1,200	1,200	0.8%
	Control Room	1	15	10	150	150	0.1%
	Ticket Office	1	10	10	100	100	0.1%
	Staff Offices	4	10	10	100	400	0.3%
	Office Area	1	40	30	1,200	1,200	0.8%
	Kitchen	1	30	30	900	900	0.6%
	Café Seating Area	1	40	30	1,200	1,200	0.8%
	Flex/Team Rooms	2	60	25	1,500	3,000	2.0%
	Ref Rooms	2	15	10	150	300	0.2%
	Restrooms	2	35	25	875	1,750	1.2%
	Leased Space - Medical & Sports Perf.	1	-	-	7,500	7,500	5.1%
	Mezzanine/Walking Track	1	540	12	6,480	6,480	4.4%
	Total Flex Space Sq. Ft.					24,180	16.5%
	Required SF for Products and Services					118,980	81.0%
	Mechanical, Electrical, Storage, etc.	10% of P&S SF (Excl. Leased Space)				11,148	7.6%
	Common Area, Stairs, Circulation, etc.	15% of P&S SF (Excl. Leased Space)				16,722	11.4%
	Total Estimated Indoor Athletic Facility SF					**146,850**	100%
	Estimated Building Footprint					**132,165**	
	Total Building Acreage					**3.0**	

COST ESTIMATE – TURF AND FITNESS

USES OF FUNDS	
Land Cost	TBD
Hard Cost	$21,331,075
Field and Sport Equipment Cost	$3,217,876
Furniture, Fixtures, and Equipment	$1,566,296
Soft Costs Construction	$3,794,826
Soft Costs Operations	$1,580,091
Working Capital Reserve	TBD
Total Uses of Funds	**$31,490,164**

FACILITY PROGRAM - COMPARISON

MULTI-SPORT OPTION

- Includes basketball courts (2), small turf, mezzanine walking, fitness center, family entertainment center, offices, and flex/supplemental space
- 32,625 Sq. Ft. of Turf
- 120,431 Sq. Ft.
- 7.3 Acres
- $27M

TURF AND FITNESS OPTION

- Includes large/full size turf, mezzanine walking, fitness center, family entertainment center, offices, and flex/supplemental space
- 70,400 Sq. Ft. of Turf
- 146,850 Sq. Ft.
- 8.8 Acres
- $31.5M

FINANCIAL PERFORMANCE

THE SPORTS FACILITIES COMPANIES

FINANCIAL PERFORMANCE – MULTI-SPORT MODEL

Total Revenue & Expenses - 5-Year Detail					
Revenue	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
In-House Basketball Tournaments	$2,800	$14,400	$25,520	$32,120	$33,726
In-House Volleyball Tournaments	$4,800	$18,400	$29,920	$29,920	$31,416
Rental Volleyball Tournaments	$5,600	$5,600	$6,160	$6,160	$6,468
Court Rental Events	$4,800	$4,800	$5,280	$5,280	$5,544
Basketball	$93,275	$96,803	$110,512	$115,467	$126,676
Volleyball	$42,286	$43,759	$49,812	$51,970	$56,933
Court Rentals	$53,040	$54,631	$59,084	$60,856	$65,816
Soccer	$52,091	$53,853	$61,242	$63,866	$69,931
Lacrosse	$12,033	$13,631	$16,986	$18,555	$21,281
Football	$15,091	$15,496	$17,503	$18,191	$19,852
Baseball/Softball	$70,170	$73,386	$84,425	$88,547	$97,515
Field Rental	$177,900	$186,795	$215,748	$226,536	$249,756
FEC/Adventure	$151,601	$166,761	$180,352	$185,763	$197,002
Esports	$133,052	$146,357	$169,043	$174,114	$188,304
Fitness and Training	$182,531	$206,224	$238,188	$246,842	$264,466
Membership Fitness Area	$619,529	$873,092	$962,584	$991,461	$1,072,266
Birthday Parties	$36,000	$43,200	$49,896	$52,391	$57,761
Youth Development	$11,124	$12,793	$14,072	$14,775	$15,514
Youth Programming	$142,660	$156,926	$181,250	$190,312	$209,819
Facility/Gate Fees	$12,720	$28,320	$39,520	$43,120	$43,120
Food & Beverage	$114,345	$130,922	$144,620	$153,531	$159,108
Hotel Rebates	$3,216	$5,181	$7,147	$8,040	$8,040
Retail	$10,380	$18,685	$23,477	$24,913	$25,209
Tenant Revenue	$150,000	$150,000	$150,000	$150,000	$150,000
Secondary Revenue	$60,000	$60,000	$60,000	$60,000	$60,000
Total Revenue	**$2,161,043**	**$2,580,016**	**$2,902,340**	**$3,012,730**	**$3,235,522**

COST OF GOODS SOLD

Expenses	Year 1	Year 2	Year 3	Year 4	Year 5
In-House Basketball Tournaments	$2,760	$12,880	$20,704	$25,424	$25,745
In-House Volleyball Tournaments	$3,760	$11,480	$15,984	$15,984	$16,283
Rental Volleyball Tournaments	$560	$560	$616	$616	$647
Court Rental Events	$480	$480	$528	$528	$554
Basketball	$35,662	$37,011	$40,546	$42,364	$45,545
Volleyball	$14,206	$14,701	$16,460	$17,173	$18,664
Court Rentals	$2,652	$2,732	$2,954	$3,043	$3,291
Soccer	$12,205	$12,618	$13,811	$14,403	$15,478
Lacrosse	$2,578	$2,921	$3,501	$3,824	$4,303
Football	$3,705	$3,804	$4,128	$4,291	$4,592
Baseball/Softball	$24,364	$25,480	$29,313	$30,744	$33,858
Field Rental	$8,895	$9,340	$10,787	$11,327	$12,488
FEC/Adventure	$53,060	$58,366	$63,123	$65,017	$68,951
Esports	$65,688	$68,483	$72,789	$74,286	$77,253
Fitness and Training	$88,516	$99,556	$114,987	$119,044	$127,743
Membership Fitness Area	$319,300	$341,746	$357,280	$370,054	$383,765
Birthday Parties	$11,160	$13,392	$14,923	$15,670	$16,976
Youth Development	$2,781	$3,198	$3,518	$3,694	$3,879
Youth Programming	$31,645	$34,810	$39,928	$41,925	$46,069
Facility/Gate Fees	$440	$2,000	$3,120	$3,480	$3,480
Food & Beverage	$62,890	$72,007	$79,541	$84,442	$87,509
Retail	$7,266	$13,079	$16,434	$17,439	$17,646
Tenant Expense	$0	$0	$0	$0	$0
Secondary Expense	$15,000	$15,000	$15,000	$15,000	$15,000
Total Cost of Goods Sold	**$769,573**	**$855,644**	**$939,977**	**$979,771**	**$1,029,717**

OVERHEAD EXPENSES

Facility Expenses	$290,498	$292,883	$297,882	$302,466	$306,957
Operating Expense	$301,514	$241,890	$256,989	$263,644	$274,829
Management Payroll	$641,163	$666,809	$693,481	$721,221	$750,069
Payroll Taxes/Benefits/Bonus	$306,658	$322,085	$338,420	$352,309	$367,417
Total Operating Expenses	**$1,539,832**	**$1,523,667**	**$1,586,773**	**$1,639,640**	**$1,699,273**

SUMMARY

	Year 1	Year 2	Year 3	Year 4	Year 5
Total Revenue	$2,161,043	$2,580,016	$2,902,340	$3,012,730	$3,235,522
Total Cost of Goods Sold	$769,573	$855,644	$939,977	$979,771	$1,029,717
Gross Margin	**$1,391,470**	**$1,724,372**	**$1,962,363**	**$2,032,960**	**$2,205,805**
% of Revenue	*64%*	*67%*	*68%*	*67%*	*68%*
Total Operating Expenses	$1,539,832	$1,523,667	$1,586,773	$1,639,640	$1,699,273
EBITDA	**($148,362)**	**$200,705**	**$375,590**	**$393,319**	**$506,532**
% of Revenue	*-7%*	*8%*	*13%*	*13%*	*16%*

DEBT SERVICE – MULTI-SPORT

SOURCES OF FUNDS		
Equity Contribution	*0%*	$0
Bank Financing	*0%*	$0
Bond Financing	*60%*	$16,231,044
Public Contribution	*40%*	$10,820,696
Total Sources of Funds		**$27,051,740**

Loan Amount	$16,231,044
Annual Interest Rate*	3.00%
Loan Period in Years	30.0
Number of Payments Per Year	12
Start Date of Loan	1/1/24
Scheduled Payment	$68,431
Scheduled Number of Payments	360
Actual Number of Payments	365
Total Early Payments	$0
Total Interest	$8,404,021

	Total Payment	Principal	Interest
Year 1 Total	**$821,169**	**$338,872**	**$482,297**

	Year 1	Year 2	Year 3	Year 4	Year 5
Total Revenue	$2,161,043	$2,580,016	$2,902,340	$3,012,730	$3,235,522
Total Cost of Goods Sold	$769,573	$855,644	$939,977	$979,771	$1,029,717
Gross Margin	**$1,391,470**	**$1,724,372**	**$1,962,363**	**$2,032,960**	**$2,205,805**
% of Revenue	*64%*	*67%*	*68%*	*67%*	*68%*
Total Operating Expenses	$1,539,832	$1,523,667	$1,586,773	$1,639,640	$1,699,273
EBITDA	**($148,362)**	**$200,705**	**$375,590**	**$393,319**	**$506,532**
% of Revenue	*-7%*	*8%*	*13%*	*13%*	*16%*
Debt Service	($821,169)	($821,169)	($821,169)	($821,169)	($821,169)
Net Financial Impact	**($969,531)**	**($620,464)**	**($445,579)**	**($427,850)**	**($314,637)**

SOURCES OF FUNDS		
Equity Contribution	*0%*	$0
Bank Financing	*0%*	$0
Bond Financing	*100%*	$27,051,740
Public Contribution	*0%*	$0
Total Sources of Funds		**$27,051,740**

Loan Amount	$27,051,740
Annual Interest Rate*	3.00%
Loan Period in Years	30.0
Number of Payments Per Year	12
Start Date of Loan	1/1/24
Scheduled Payment	$114,051
Scheduled Number of Payments	360
Actual Number of Payments	365
Total Early Payments	$0
Total Interest	$14,006,702

	Total Payment	Principal	Interest
Year 1 Total	**$1,368,615**	**$564,786**	**$803,828**

	Year 1	Year 2	Year 3	Year 4	Year 5
Total Revenue	$2,161,043	$2,580,016	$2,902,340	$3,012,730	$3,235,522
Total Cost of Goods Sold	$769,573	$855,644	$939,977	$979,771	$1,029,717
Gross Margin	**$1,391,470**	**$1,724,372**	**$1,962,363**	**$2,032,960**	**$2,205,805**
% of Revenue	*64%*	*67%*	*68%*	*67%*	*68%*
Total Operating Expenses	$1,539,832	$1,523,667	$1,586,773	$1,639,640	$1,699,273
EBITDA	**($148,362)**	**$200,705**	**$375,590**	**$393,319**	**$506,532**
% of Revenue	*-7%*	*8%*	*13%*	*13%*	*16%*
Debt Service	($1,368,615)	($1,368,615)	($1,368,615)	($1,368,615)	($1,368,615)
Net Financial Impact	**($1,516,977)**	**($1,167,910)**	**($993,025)**	**($975,296)**	**($862,083)**

ECONOMIC IMPACT

THE SPORTS FACILITIES COMPANIES

EVENTS AND VISITORS

Number of Events Per Year

	Year 1	Year 2	Year 3	Year 4	Year 5
Basketball Tournaments	2	6	8	8	8
Volleyball Tournaments	4	7	8	8	8
Other Tournaments/Events	4	4	4	4	4
Total Events Per Year	**10**	**17**	**20**	**20**	**20**

Economic Impact Drivers

	Year 1	Year 2	Year 3	Year 4	Year 5
Non-Local Days in Market	3,240	5,220	7,200	8,100	8,100
Room Nights	960	1,547	2,133	2,400	2,400

AVERAGE DAILY EXPENDITURE

Per Person Spending By Category

	Amount	% of Total
Lodging/Accommodations	$32.00	26.7%
Dining/Groceries	$44.25	36.9%
Transportation	$7.52	6.3%
Entertainment/Attractions	$3.54	2.9%
Retail	$20.80	17.3%
Miscellaneous	$11.95	10.0%
Total	**$120.06**	**100%**

DIRECT SPENDING

Economic Impact

	Year 1	Year 2	Year 3	Year 4	Year 5
Total Direct Spending	$388,986	$626,700	$864,414	$972,466	$972,466
Total Indirect Spending	$0	$0	$0	$0	$0
Total Economic Impact	**$388,986**	**$626,700**	**$864,414**	**$972,466**	**$972,466**

KEY ASSUMPTIONS & NOTES

- Multi-sport Facility Program and Draft Pro Forma assumes that **Ingersoll remains open** as a turf facility and can continue to accommodate secondary turf use/leagues/rentals.

- Turf and Fitness Facility Program provides an overview of a facility which would allow **Ingersoll to be repurposed** to a basketball or other sports facility.

- The new indoor facility will be a **best-in-market asset that will rely heavily on use and revenue from local residents.**

- The **asset fills voids** for fitness, sports, recreation, and entertainment.

- The model provides **multi-functional space that can accommodate a wide array of community needs and maintain flexibility to adapt** in the future.

CHALLENGES

- **Cost of development** is significant.
- While local demand and opportunity is high, the **regional destination opportunity is limited**. As such, this should be considered a local program-focused asset that can be backfilled with tourism-driving events.
- **Outside funding/partnership/support may be needed to supplement** development costs, debt service coverage, and long-term capital replacement.
- Depending on the location selected, **additional transportation improvements may be needed** to support equitable access.

NEXT STEPS

- The various **locations** noted by the Client, in addition to other locations within Auburn, ME, need to be further analyzed to determine the space which will present the highest and best proximity to supporting services to accommodate guests and create ideal experiences for visitors.

- A **funding** plan must be created to cover the cost of development for both equity and long-term financing costs.

- An **operating structure** must be created to ensure that top-tier management, marketing, maintenance, and service initiatives are in place.

- A **long-term plan** must be developed to cover long-term capital improvement and replacement costs.

THE SPORTS FACILITIES COMPANIES

Q&A

NEXT STEPS

REVIEW OF MARKET AND FEASIBILITY STUDY

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: March 21, 2022 **Ordinance:** 08-03072022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Zoning Considerations from 2021 Updated Comprehensive Plan-Gracelawn Area Zoning change AG/RP to GB and Lake Auburn Watershed Overlay District.

Information: **There was one addition made to the Packet for 2nd reading in response to a question by Council regarding the awareness of the change by LAWPC. See LAWPC February 9 Agenda Packet (See page 3-4 for LAWPC Staff Comments).** The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. The Comprehensive Plan recommends adjusting the zoning boundary to allow for reuse of the Gracelawn Gravel Pits for development where they no longer drain to Lake Auburn and shows about 111 acres proposed for the change. The Lake Auburn Study analyzed this further and recommends removing 148 acres from the Watershed based on topography and ground water data. Approximately 37 acres are not shown as Commercial Development District (CDD) in approved FLU mapping because the approximate boundaries for the conceptual change were conservative and were developed before the Lake Auburn Study was completed. We knew most of the land was not draining to the lake, but the study identified a larger area draining away from the lake and the council approved utilizing the Auburn Lake Watershed Study as part of the Comprehensive Plan Updates. In that study they suggested moving the watershed boundary to match the actual drainage area boundary. From that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary for a total of 148 +/- acres. **In keeping with existing zoning staff is suggesting that this area be changed to General Business (GB) as recommended by the PB on February 8th.**

---

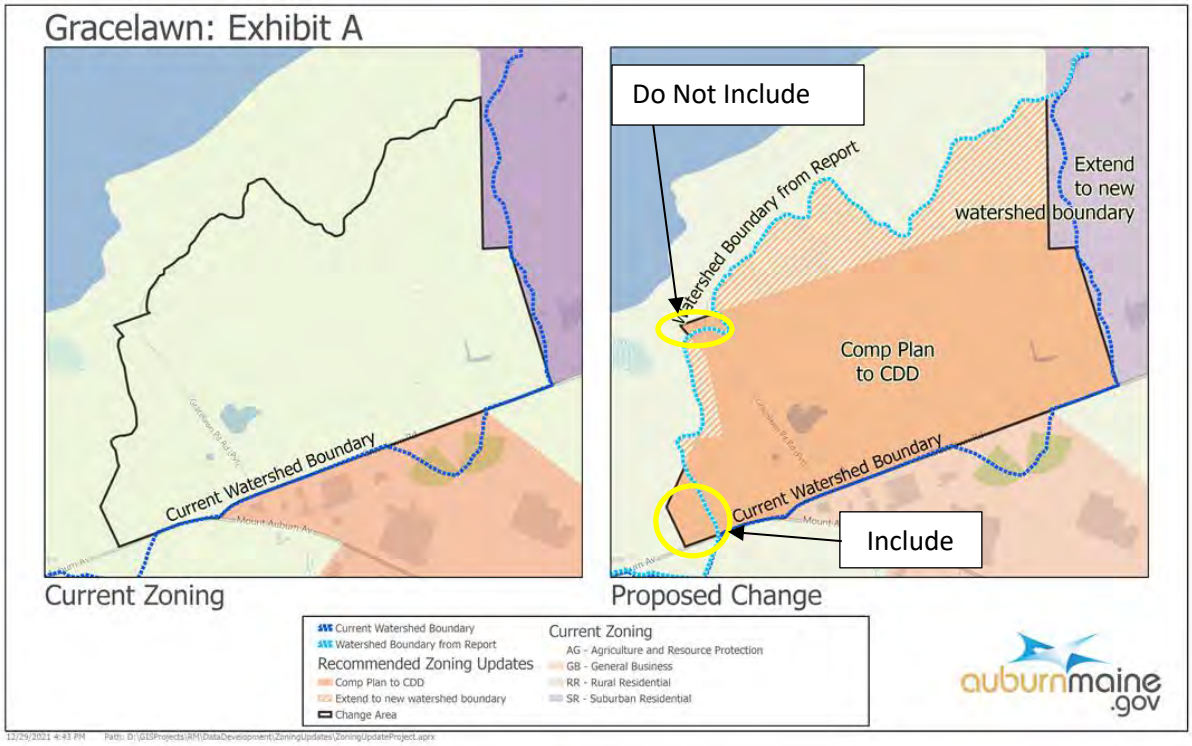
a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to General Business District (GB). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended. (See attached a.)

b. The current proposal also includes an adjustment of the Lake Auburn Watershed District Zoning Overlay to match what science has shown us to be the actual drainage boundary to the physical Lake Auburn Watershed. The revised boundary is shown as a blue line in the map on the previous page titled Proposed Change. A copy of the Lake Auburn watershed Study Pages recommending this change is attached. The Lake Auburn Watershed Boundary is defined in our ordinance as follows:

Sec. 60-951. Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

The district, by definition, should match the actual drainage boundaries and we now have information that confirms that the existing Watershed District Map includes land that does not drain to the Lake



Below is an environmental buildout look of what is existing now vs. a commercial mixed-use development for the 148-acre Gracelawn site. (Ref. MaineDEP Urban Runoff BMPs Calculation Sheet)

Overall annual pollutant load and runoff volume before and after BMPs

Pollutant	Pre-BMP	Reduction	After BMP	Percent Reduction
TN (lb/yr)	727.33	363.66	363.66	50%
TP (lb/yr)	72.73	36.37	36.37	50%
BOD (lb/yr)	3,230.77	2,220.85	1,009.92	69%
Sediment (lb/yr)	27,974.09	23,752.65	4,221.44	85%
Flow Volume (ac-ft/yr)	138.50	119.79	18.72	86%

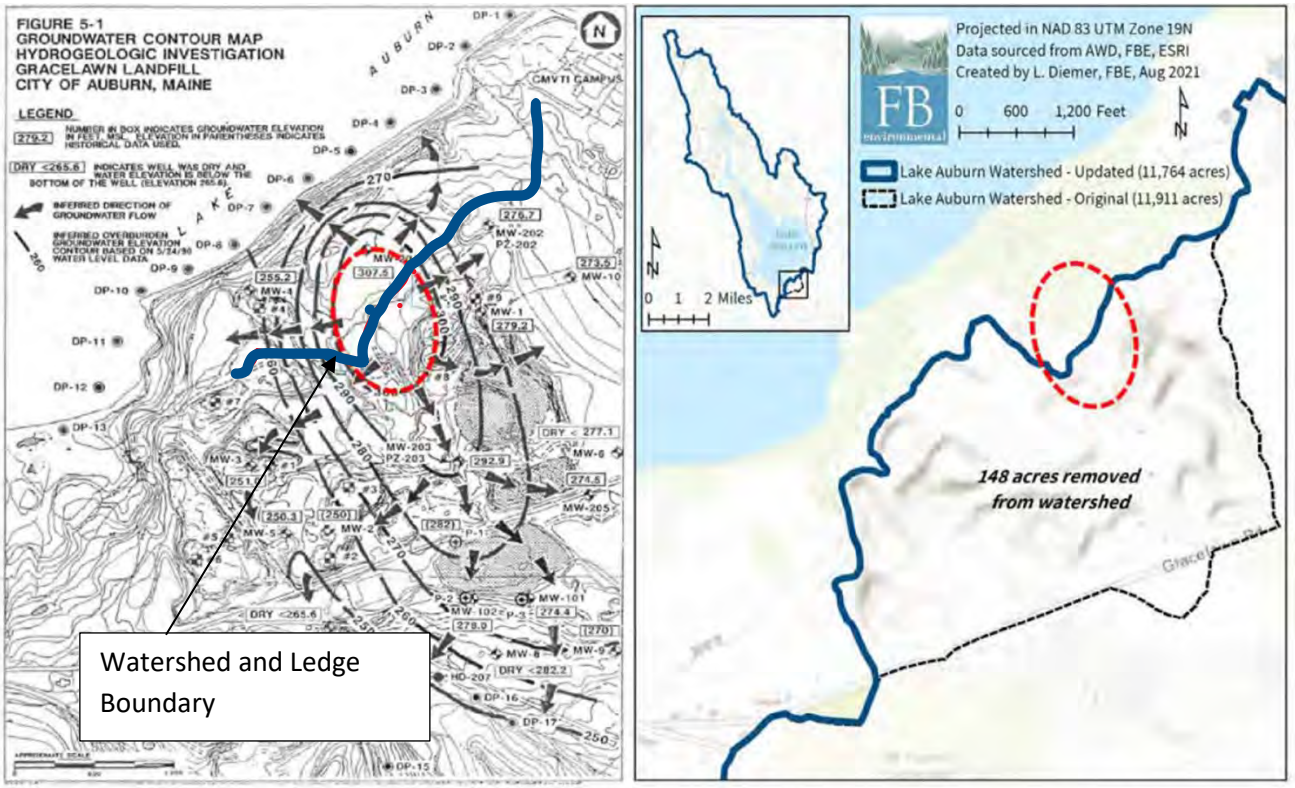


Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now the 2020 Comprehensive Plan recommend expanding the Commercial zoning in this area to include the area proposed on the map with a minor difference to follow existing property boundaries. This can be accomplished without creating a new district by using the existing General Business Zone.
2. The two small areas inside the watershed will be required to drain internally (out of the watershed) or meet phosphorus control standards.
3. The current Boundary of the Lake Auburn Watershed District Overlay Zoning Boundary has been shown to be different than the actual drainage boundary based on the Lake Auburn Watershed Study's analysis of topography and groundwater movement in the area and should be adjusted as proposed to match the physical drainage boundaries of the watershed.
4. The proposal can be implemented without detriment to Lake Auburn and is recommended by the Comprehensive Plan.
5. Significant environmental improvements with the site being converted from a gravel pit to a mixed-use development site based on land use runoff for event mean concentration (EMC) values with BMPs implementation.

Staff Recommended Action: Staff suggests council discuss the proposals and hold a Public Hearing on March 7, 2022. Staff then recommends that the Council take a vote on the following, 1: That the Lake Auburn Watershed Overlay Zoning Boundary be adjusted as shown in the Lake Auburn Watershed Study(and on the attached Map); and 2. That the General Business Boundary be adjusted to include the

148 acres shown on the map based on the following findings to include the front parcel that will drain internally based on the new proposed plan submitted by Stoneybrook Consultants.

Previous Meetings and History: January 3rd Council Discussion Initiation, January 11, 2021 Planning Board Workshop, February 8th, 2022 Planning Board, Public Hearing (favorable recommendation 7-0). Public hearing and passage of first reading at the 3/7/2022 Council meeting.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Lake Auburn Study Excerpts, full report here: https://www.auburnmaine.gov/CMSContent/City_Manager/LakeAuburn_FinalReport%20UPDATED.pdf
One attachment Added: LAWPC February 9 Agenda Packet (See page 3-4 for LAWPC Staff Comments)

3 Analysis of Environmental Impacts

This section analyzes the environmental impact of various development and water quality scenarios for the Lake Auburn watershed. The analysis uses a well-documented watershed model paired with in-lake empirical formulas to predict water quality outcomes under each future scenario. This section also reviews recreational threats and opportunities, current forestry practices, and LAWPC's land conservation strategy.

Photo Credit: Sun Journal

Water Quality Modeling

Boundary Change

Based on hydrogeologic studies (E.C. Jordan Co., 1990; Woodard & Curran, 1995; Summit Environmental Consultants, Inc., 2007) of the sand and gravel operations and former City of Auburn landfill along Gracelawn Road, a portion of the existing watershed area was determined to flow away from Lake Auburn in a southerly and easterly direction (Figure 3-1). Groundwater flow studies around the sand and gravel operations showed groundwater flowing south to an unnamed brook in a ravine just south of Mt. Auburn Avenue that flows to the Androscoggin River. Previous analyses of groundwater monitoring well data around the landfill showed low and diminishing levels of leachate indicators on the lakeside compared to increasing levels on the south side away from the lake. The combined properties with sand and gravel operations owned by CLH & Sons, Inc. and Get Er Done, LLC cover 115 acres in the southern portion of the Lake Auburn watershed and are bounded to the north by Lake Auburn and a LAWPC-owned parcel, to the east by a Central Maine Community College-owned parcel, to the south by Gracelawn Road, and to the west by a LAWPC-owned parcel. Based on review of the groundwater contours and 2-ft surface contours, the proposed watershed boundary reduces the watershed area by 148 acres, possibly reducing the original CEI, Inc. (2010) total phosphorus load to Lake Auburn by about 44 kg/yr.

Baseline Model Run

The baseline or "existing conditions" model run was performed using the revised version of the ArcView Generalized Watershed Loading Function (AVGWLF): MapWindow Version 4.6.602 and MapShed Version 1.5.1, available online through the Stroud Water Research Center's Wiki-Watershed. Following MapShed documentation, model files were prepared for input and processing to generate watershed nutrient loading estimates by sub-basin. These sub-basin nutrient loading estimates were run through a simplified version of the Lake Loading Response Model (LLRM) (AECOM, 2009) to account for sub-basin water and nutrient load attenuation, other water and/or nutrient sources such as atmospheric deposition, internal loading, and septic systems, and in-lake factors such as pan evaporation and annual withdrawal for drinking water. The net water and nutrient loads, along with calculated lake characteristics, were used in several well-known empirical formulas to estimate the in-lake total phosphorus concentration of Lake Auburn.

A summary of inputs and assumptions is provided below. Refer to supplemental model documentation for more detail (available through the City of Auburn).

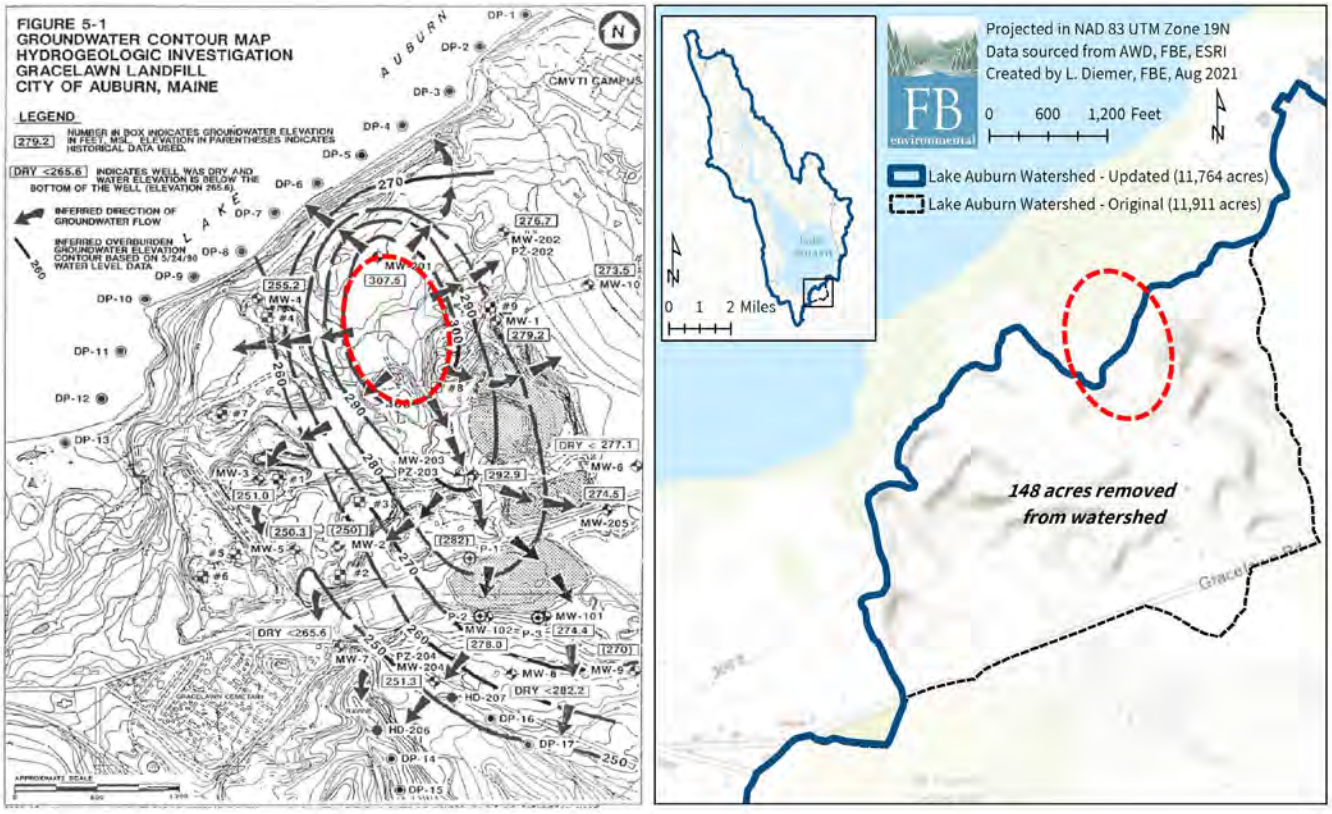


Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

5 Findings, Synthesis, & Holistic Recommendations

This section draws out key conclusions from the report's preceding Sections 2, 3, and 4 which contain our analyses of the regulatory, environmental, and economic impacts of Lake Auburn as a public drinking water supply. Synthesis and further discussion, along with consideration of examples from comparable water supplies, are also provided for several key conclusions that recur throughout the preceding sections. Lastly, this section puts forth holistic recommendations for the City of Auburn, as well as the broader community of stakeholders, with the aim of promoting water supply protection efforts and initiatives that preserve or improve the balance among regulatory, environmental, and economic impacts.

Photo Credit: Sun Journal

Key Findings

Section 2, Analysis of Regulatory Impacts

We found that the regulatory framework for the protection of Lake Auburn as a water supply can be revised to be more clearly defined, better aligned with the best available science and State and regional norms, and more fairly applied across different land uses and activities. Specific recommendations are described in depth in Section 2, and direct ordinance language revisions are provided in a separate document to the City. A summary of our recommended revisions is outlined below:

- Revise the septic system requirements of the Lake Auburn Watershed Overlay District Ordinance to incorporate the Maine Subsurface Wastewater Disposal Rules, including provisions that allow for mounded leach fields and other State-approved alternative designs where there is not a native, in-situ, 36-inch vertical separation between the bottom of the organic horizon and the bedrock, water table, or other restrictive layer. Refer to Appendix 1.
- Revise the Phosphorus Control Ordinance to clarify that the limit of a project area does not apply to a given land use but to a demarcated limit of disturbance, such that all disturbance within that area is required to meet the erosion and sedimentation controls and other phosphorus controls under a plan required by the Phosphorus Control Ordinance.
- Require timber harvest and agricultural activities to meet the same requirements as other land uses under the Phosphorus Control Ordinance. Currently, timber management and harvesting must be conducted in accordance with a forest management plan prepared and supervised by a registered forester, while agriculture must be conducted in accordance with a soil and water conservation plan approved by the ACSWCD, making these uses effectively exempt from City oversight. Removing the exemption and requiring timber and agriculture to meet the same erosion control standards under the Phosphorus Control Ordinance would ensure that water quality protection is a central feature of any timber harvesting or agricultural activities in the Lake Auburn watershed.
- Develop a clear set of standards for farm management that will be consistently applied to farms in the watershed for the purpose of controlling erosion and limiting the delivery of excess phosphorus from the farm practices to Lake Auburn. One approach is to set a concrete limit on the amount of agricultural activities that are phosphorus-intensive (e.g., commercial raising of livestock, fertilized row crops, manure spreading). It is important to note that water quality is predicted to be much worse across all future scenarios if agricultural land use does not decline as predicted.
- Adjust the agricultural buffer strip requirement in the Lake Auburn Watershed Overlay District Ordinance to improve its effectiveness. Recommended adjustments include widening the buffer to 75 or 100 feet, requiring the buffer to be vegetated, and requiring the buffer to be located downgradient of all agricultural activities, perpendicular to the direction of overland flow, in all areas of the watershed (as opposed to requiring buffers only for agricultural activities that are adjacent to surface water).
- Update the Lake Auburn Watershed Overlay District Ordinance to reflect the revised watershed boundary, reducing the existing watershed boundary by 148 acres in the Gracelawn Road area.
- Incorporate low impact development requirements for single family residential development on the 1- and 3-acre lots allowed in the Lake Auburn watershed by way of referencing the Maine Stormwater Management Design Manual, Volume 2. The use of low impact development can help to limit the impacts of stormwater runoff and associated erosion and pollutants from sites. The standards as they apply to a water supply watershed are presented below:
  - » Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, and grading).
  - » A minimum natural vegetated buffer must be maintained downgradient of all developed areas on the lot. This buffer shall be 50 feet wide if naturally forested or 75 feet wide if maintained as a natural meadow.
  - » No more than 7,500 square feet of impervious cover is located on the property.
  - » A minimum of 40 percent of the lot area must be maintained as an undisturbed natural area. If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.

Section 3, Analysis of Environmental Impacts

We found that Lake Auburn water quality in the last decade had reached a tipping point, whereby nuisance algae blooms were becoming more frequent and were threatening the filtration waiver. The partial alum treatment conducted in 2019 significantly reduced the

in-column total phosphorus concentration and locked in a portion of the sediment-bound phosphorus, effectively resetting the system and giving the water districts additional time to ramp up watershed protection and nutrient reduction efforts. We also found that projecting current status quo conditions into the future (i.e., the "Business As Usual" scenario) resulted in Lake Auburn once again reaching a tipping point by 2100, even with the assumption that the in-column total phosphorus concentration and sediment-bound phosphorus would be repeatedly reset by an alum treatment every 10 years (see discussion in Section 2 about this assumption for further context). Modeled predictions for the other future scenarios where the regulatory framework is adjusted to allow more development in the Auburn portion of the watershed results in greater water quality degradation and a higher risk of blooms, ultimately triggering the need for a filtration plant in the "Maximum Development Allowing Building on LAWPC Lands" scenario. The use of low impact development techniques has a small positive effect on water quality in these future scenarios but does not ameliorate the high risk of frequent algae blooms. Taken together, the future scenarios show that Auburn alone does not have the land use control tools to stave off water quality decline in Lake Auburn; sustained collaboration with the upper watershed municipalities is essential to achieve the needed phosphorus load reductions over the remainder of the 21st century.

Section 4, Analysis of Economic Impacts

We found that expanding development in the Lake Auburn watershed provided minimal overall net economic benefit when accounting for the benefits and costs of all affected stakeholders, including the City of Lewiston who would otherwise carry the additional costs of watershed protection and water treatment through the existing cost sharing agreement in order for the City of Auburn to benefit from increased property tax revenues. In other words, the increased net benefits to the City of Auburn would be mostly or entirely offset by increased net costs to AWD and LWD customers, resulting in negligible net economic benefit to the communities served by Lake Auburn. This reallocation of benefits and costs among all affected stakeholders for the future scenarios highlights important questions of equity and fairness, which were raised during the process of producing this report and conversing with key community representatives. We emphasize that the costs associated with addressing declining water quality are costs to all water users and that the risk of incurred costs that are higher than our conservative estimates is very real.

Synthesis & Discussion

In summary, our analyses determined that Lake Auburn is nearing its assimilative capacity for nutrient load (even with the partial alum treatment) and cannot handle much more additional nutrient load without diminishing water quality and its associated benefits. We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed. Instead, we recommend that low impact development strategies are incorporated into existing zoning standards and required for all future development and redevelopment projects in the Auburn portion of the watershed. We also recommend that the other four headwater towns of Turner, Minot, Hebron, and Buckfield also incorporate low impact development requirements on future development projects. Lake Auburn cannot maintain excellent water quality in the future without the full participation of the other watershed towns. More development cannot be allowed in the Auburn portion of the watershed even with low impact development requirements implemented in Auburn. Even if reduced development through conservation or other means is achieved in the headwater towns, any additional development in Auburn has an outsized negative impact since its drainage area goes directly to the lake. It is also important to understand that a filtration plant does not allow for greater development of the watershed because the filtration plant only treats extracted drinking water for the consumer and does not treat in-lake water quality for recreation and for meeting State criteria for designated uses.

> We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed.

Below, we present further discussion on three important topics: regulation of septic systems, environmental risk and uncertainty, and comparable water utilities.

Regulation of septic systems: The regulatory and environmental analyses examined multiple issues surrounding septic systems and their contributions of phosphorus to Lake Auburn. At first glance, there may appear to be a contradiction between 1) the recommended ordinance revision from the regulatory analysis (Section 2) that the septic design standard should be revised in such a way that will allow previously non-buildable sites to become buildable and 2) the conclusion from the environmental analysis (Section 3) that Lake Auburn will arrive at a tipping point of declining water quality by 2100 even in the absence of any pro-development changes (i.e.,

the "Business As Usual" scenario). Indeed, our buildout analysis determined that more than 100 additional new homes could be built in the watershed if the septic system siting requirement for 36 inches of suitable in-situ soil were revised.

To address this apparent contradiction, we argue that the septic design standard should be judged not only by its adherence to the best available science but by its simplicity, straightforwardness, and fairness. The key questions are: does the existing septic design standard accomplish its stated purpose of regulating septic systems effectively for water quality protection, or is its water quality benefit primarily in its de facto restriction of buildable areas in the watershed? Are there improvements that could be made to achieve the stated goal? With our recommended revision, we aim to have the septic design standard achieve its stated purpose of effectively regulating both new septic system construction and replacement/reconstruction of existing septic systems as they age out, so that septic systems with alternative technologies and innovative phosphorus controls can be phased in. Restrictions on developable land are better left to base and resource protection zoning than to septic design standards.

The project team also noted in conversations with multiple Lake Auburn stakeholders a concern about an unintended consequence of the requirement in the current ordinance for 36 inches of suitable in-situ soil to site a septic system. The concern is that this requirement for deep, native soils has led to the preferential siting of some septic systems on deep formations of sand and gravel aquifer, which provide some of the only suitable sites in the watershed with the requisite depth to bedrock, water table, or other restrictive layer. While our team did not conduct any field assessments, witness this condition firsthand, or review any documentation of this condition, we agree with the premise that these sand and gravel formations should not be considered suitable sites for septic systems, at least without the importation of suitable reactive soils for nutrient and pathogen processing that the recommended ordinance revisions would allow. Adopting the Maine State standards while preserving the minimum 36-inch vertical separation would alleviate the potential for this unintended consequence.

Environmental risk and uncertainty: The risk of deteriorating water quality threatening Lake Auburn's ability to remain a high quality public drinking water supply is a throughline of this entire study. In its simplest terms, risk is the probability of a negative outcome, though the severity of the negative outcome in question is usually included when evaluating that risk. A high risk of a minor inconvenience (e.g., the risk of getting caught in traffic if leaving downtown Boston by car at 5:00 PM on a business day) requires minimal forethought, while a low risk of major damage (e.g., the risk of a flood destroying private or public infrastructure from a hurricane or Nor'easter) requires extensive planning and preparation. Uncertainty is the degree to which the risk cannot be quantified, due to a number of factors, such as insufficient data about existing conditions, insufficient predictive models for the future, and inherent randomness in nature. It is difficult but possible to predict with reasonably low uncertainty the risk of an outcome that has occurred before (e.g., an algae bloom in Lake Auburn). It gets much more difficult to predict the risk of a particular outcome (e.g., a filtration waiver violation in Lake Auburn) if that outcome has never occurred before, because the data and predictive models have not been tested against that outcome in the real world. In this situation, the uncertainty surrounding such an outcome remains relatively high even with excellent data and predictive models.

This study examined Lake Auburn's risk of negative water quality outcomes now and in the future under various scenarios, though with considerable uncertainty due to a number of confounding or unknown factors. However, we can say with certainty that all additional development raises the risk of water quality degradation, whether due to phosphorus loading, pathogens from subsurface wastewater disposal, emerging contaminants such as pharmaceuticals and personal care products, etc. Even if the increased risk resulting from any individual parcel-scale decision is small, the aggregate impact of thousands of individual decisions over the coming decades is what matters.

From a risk management perspective, the entire spectrum of outcomes should at least be understood, including the least probable, most negative outcome (i.e., the worst-case scenario). The worst-case scenario would be that Lake Auburn's water quality would deteriorate past the point of useful public drinking water supply. Phosphorus enrichment to the point of having uncontrolled algae blooms every year, with cyanobacteria and associated cyanotoxins, would be the most likely condition of such a worst-case scenario. If this unlikely but highly undesirable scenario were to occur, Auburn and Lewiston would be forced to consider other alternatives that previously would not have been seriously deliberated, such as drawing upon the Androscoggin River for drinking water. The cost of this worst-case scenario was not evaluated in our economic analysis because our environmental models do not predict conditions to deteriorate to that degree under the chosen scenarios. But in managing environmental risk, this unlikely but highly undesirable outcome should be included in the overall picture of Lake Auburn's possible future.

Comparable water utilities: Comparison of Lake Auburn and LAWPC/AWD/LWD with other water sources and utilities is illustrative of their strengths, weaknesses, and projected future needs (Table 5-1). Lake Auburn's key

Table 5-1. Lake Auburn and comparable water supply lakes and ponds in Maine.

Waterbody	Water Utility	Waterbody Surface Area (acres)	Watershed Area (acres)	Communities Served	Watershed Communities	Filtration Waiver?
Lake Auburn	Auburn Water District	2,277	9,651	Auburn, Lewiston, Poland	Auburn, Turner, Minot, Hebron, Buckfield	Yes
China Lake	Kennebec Water District	3,939	16,704	Waterville, Winslow, Fairfield, Benton, Vassalboro, Maine Water Company - Oakland	Vassalboro, China, Albion	No
Sebago Lake	Portland Water District	29,992	234,000	Portland, South Portland, Westbrook, Falmouth, Cumberland, Cape Elizabeth, Gorham, Windham, Scarborough, Raymond	24 municipalities (Androscoggin, Cumberland, Oxford counties)	Yes
Floods Pond	Bangor Water	635	4,600	Bangor, Eddington, Hampden, Hermon, Orrington, Clifton, Veazie, Hampden Water District	Otis, Clifton	Yes

comparables are China Lake, which supplies the Kennebec Water District (KWD) serving Waterville and surrounding communities; Sebago Lake, supplying the Portland Water District (PWD); and Floods Pond, used by Bangor Water, an independent water utility, to serve Bangor and surrounding communities.

China Lake is nearly double the size of Lake Auburn, with a 3,939-acre lake surface and a nearly 17,000-acre watershed, but the lake divides into two basins nearly equal in size, the west basin and the east basin. The KWD has a water supply in-take located in the west basin, where the shoreline is mostly under KWD control and managed as water supply protection land. The east basin is nearly all under private ownership and has much more shoreline development. The China Lake Outlet Stream, the only outlet of the entire lake, is in the west basin at the dam in Vassalboro. Considered by itself, the west basin is very similar to Lake Auburn in terms of shoreline and watershed management - mostly forested, under public water utility control, with universal restrictions on swimming and bodily contact but with limited recreational fishing allowed. Like Lake Auburn, China Lake serves one community within the lake watershed (Vassalboro) and several communities outside its watershed (Waterville, Winslow, Fairfield, Benton, and the Maine Water Company in Oakland), while the upper watershed towns of China and Albion do not use KWD water.

The key difference between China Lake and Lake Auburn is that China Lake has experienced algae blooms nearly every summer since the 1980s. Blooms were more severe through the 1980s and 1990s, and since the early 2000s, there have been some trends of improvement, including coldwater fish species survival. Since 1993, KWD has filtered the drinking water supply using a granular activated carbon filtration system capable of producing up to 12 MGD, though current demand stands at 3 MGD. The plant was constructed in the early 1990s for a cost of roughly $25 million. According to KWD Superintendent Roger Crouse, P.E., if water quality were to decline significantly from its current stable state, such as increased algae blooms and turbidity, KWD would have to change their operations to handle the lower quality in-take water (R. Crouse, pers. comm). The carbon filters would need to be backwashed more frequently, and the additional backwash water would need to be accommodated somehow in the existing lagoons or else the lagoons would need to be expanded at significant cost. The alum dose used to pretreat the water before filtration would also need to be raised. The key takeaway is that decreased in-take water quality at a filtration plant taxes the system, raises the volume of the waste stream, and adds significant cost and complexity to the treatment process, meaning that water supply managers cannot forgo water quality protection efforts simply because a filtration system is in place.

Sebago Lake is the public drinking water supply source used by the PWD to supply Portland, South Portland, Westbrook, and surrounding Greater Portland communities - roughly one sixth of Maine's population. The lake is roughly 10 times the size of Lake Auburn, with a surface area of nearly 30,000 acres and a watershed area of 235,000 acres. Sebago is the deepest lake in New England at 316 feet at its deepest point. Like Lake Auburn, Sebago Lake qualifies for a filtration waiver owing to a history of excellent water quality. The existing disinfection plant has a production capacity of 54 MGD and currently experiences a demand of 22 MGD. With such a large water supply lake, the capacity of the plant will be exceeded long before any concern of safe yield from the lake arises.

Land use in the Sebago Lake watershed is largely composed of private forestlands. The PWD owns 2,500 acres (or about 1% of the watershed), with 800 acres of mostly shoreland designated as 'No Trespassing' and 1,700 acres of land designated as free for public access for many forms of recreation. Another 28,000 acres are owned or

managed by land trusts. The water supply in-take is at the far southern extent of the lake in the Lower Bay. A 3,000-foot 'No Trespassing' zone surrounds the in-take, and no bodily contact is allowed within two miles of the in-take. Boating, fishing, snowmobiling, and ice fishing are allowed within the 2-mile limit but not within the 3,000-foot limit. Overall, the restricted area is very similar in size and structure to that of Lake Auburn (with the exception that the on-ice activities are not allowed on Lake Auburn). Taking Sebago Lake as a whole, however, the major difference with Lake Auburn is that Sebago's Lower Bay comprises a small fraction of the overall lake, the rest of which has no special swimming or boating restrictions for water supply.

Sebago Lake and its watershed are located many miles away from the service areas of the PWD. This geographical separation means that the communities served by PWD have no ability to enact land use controls on the lakeshore or in the watershed, unlike the situation in Lake Auburn where the City of Auburn can use its zoning ordinances to enact protections for the shorefront and watershed. It is likely that this lack of control over Sebago Lake's upper watershed has spurred the PWD to focus on cooperation with land trusts and private forestland owners to conserve tracts of land. As an example, PWD Environmental Services Manager Paul Hunt told the project team that the PWD is part of a partnership, Sebago Clean Waters, that seeks to raise the total amount of land conserved (and managed at least partly for water supply protection) from the current 12% of the watershed to 25% in the next 15 years (P. Hunt, pers. comm).

In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Floods Pond in Otis, Maine has been the public water supply source for Bangor Water, the independent water district that serves Bangor and surrounding communities since 1959. At 635 acres of surface area, surrounded by a 4,600-acre watershed in Otis and neighboring Clifton, Floods Pond is less than half the size of Lake Auburn. Maximum depth is similar at 133 feet. Like Lake Auburn, Floods Pond also qualifies for a filtration waiver owing to its historically excellent water quality.

Land use in the Floods Pond watershed is largely controlled by Bangor Water, which owns or holds landowner agreements to manage 4,500 acres or more than 99% of the watershed land area. There is no public access to Floods Pond, which is home to a native population of Arctic char (Salvelinus alpinus), a coldwater fish species closely related to both salmon and lake trout that has been used by the Maine Department of Inland Fisheries and Wildlife to establish coldwater fish populations in other Maine lakes. Fishing, boating, and swimming are prohibited, as are hiking, wildlife viewing, and hunting in posted areas that include the entire shoreline.

The geography of Floods Pond as a water supply resembles China Lake more than Lake Auburn. The vast majority of Bangor Water customers are in downstream communities (Bangor, Eddington, Hampden, Hermon, and Orrington), while the protected shoreline and watershed areas are in upstream communities that do not use the water. (A small portion of Clifton is served by Bangor Water.) Bangor Water controls nearly all the Floods Pond watershed in Otis and Clifton, 4,500 acres total and more than LAWPC controls in the Lake Auburn watershed. Recreational activities are also much more restricted at Floods Pond than at Lake Auburn. Floods Pond provides a useful comparison point at the more restrictive end of the spectrum that puts the lost tax revenues and recreational opportunities at Lake Auburn in perspective.

To summarize, these comparisons with other water supply lakes demonstrate that the protections surrounding Lake Auburn do not exceed those of China Lake, Sebago Lake, or Floods Pond. The restrictions on recreational opportunities at Lake Auburn are similar to those at other drinking water supplies, including filtered and unfiltered water sources. Similarly, land use restrictions within the Lake Auburn watershed are far from the most prohibitive among the examples discussed, with only 20% of the watershed held or managed as water supply land compared to 99% of the Floods Pond watershed. In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Holistic Recommendations

1. We recommend that the City of Auburn not seek to ease the current resource protection zoning or

consider rezoning portions of the watershed for increased density (e.g., village node-style development). Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed, preferably areas already served by sanitary sewer (for the benefit of nearby water resources such as the Androscoggin River). This recommendation is based on two key findings of this study that are fully elaborated in Section 3:

- Lake Auburn and its watershed are already at or near the key environmental thresholds of 10 parts per billion annual average total phosphorus and 75% forested watershed land cover; and
- The future scenario models showed that easing restrictions on further development in the Lake Auburn watershed would set the lake on a path toward deteriorating water quality, regardless of the beneficial effects of requiring low impact development techniques and without obvious management strategies to combat further declines in water quality.

2. We recommend that the Planning Board and City Council take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. If not acceptable in their current form, the recommended revisions should be reworked and made more practicable but not watered down or fundamentally changed in their intent or effect. These recommended changes represent a move toward simpler, more transparent, more evenly applied regulations that are based on the best available science. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. We recommend that the City of Auburn share the findings of Section 4, Analysis of Economic Impacts, with all partners and stakeholders so that the accounting of aggregate economic impacts of the existing conditions and various future scenarios are used as the basis for an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward. This recommendation is based on the key finding that any net benefits to the City or Auburn residents and taxpayers from expanded residential development in the Lake Auburn watershed would be counterbalanced by additional costs to Lewiston and its residents and taxpayers, in the form of increased costs associated with mitigating declining water quality and decreased benefits from recreation. These findings are fully elaborated by Section 4 of this report. As a next step in this planning process, we recommend that a scenario be modeled and run through a benefit cost analysis that meets the target water quality goal for Lake Auburn, which was not possible in the future scenarios modeled in this study when considering Auburn-only changes to regulations and management approaches. Developing a scenario that meets the water quality goal may require several iterations. The scenario should likely expand the existing Lake Auburn Watershed Overlay District to the upper watershed towns, require implementation of low impact development techniques on new development watershed-wide, and account for septic design standard changes.

4. We recommend that the City of Auburn, City of Lewiston LWD, AWD, and LAWPC fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed (Turner, Minot, Hebron, and Buckfield) to control development and limit phosphorus loading. Historically, LAWPC has been an active player in fostering collaborative action between the local governments, with representation from the upper watershed towns. This recommendation is based on the key finding from this study that Auburn alone cannot accomplish sufficient phosphorus load reductions to prevent deteriorating water quality in Lake Auburn, but will require active participation from the upper watershed towns. This finding is fully elaborated in Section 3.

5. We recommend completing a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both AWD and Bates College in the Lake Auburn watershed. Identify gaps based on weaknesses and assumptions for the model. From the review and gap analysis, devise a robust long-term water quality monitoring plan and annual cost estimate for Lake Auburn. We also recommend that 1) the AWD hire a full-time, dedicated data management technician for improved management, access, and analysis of collected water quality data; 2) the AWD and LWD continue collaboration with Bates College on student-assisted monitoring; and 3) LAWPC consider creating a technical science advisory board to establish or maintain key local, State, and regional partnerships that can help to provide regular review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the in-take should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. We recommend that the LAWPC coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. We recommend developing a comprehensive natural resource management plan for LAWPC lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection if in the interest of public water supply protection, with multiple management options offered. We also recommend developing natural resource inventories for all LAWPC lands to map critical streams (perennial and intermittent), wetlands, vernal pools, cover types, rare, threatened, and endangered species present, etc. to include in individual natural resource management plans that set management objectives and methods to achieve water resource and wildlife habitat protection for each LAWPC parcel. If timber harvesting continues in the Lake Auburn watershed on LAWPC or private lands, then we recommend a series of actions to minimize forestry impacts to water quality. Refer to Forest Management in Section 3.

10. We recommend that LAWPC work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that LAWPC consider putting all their properties into permanent conservation. These properties are currently protected under the LAWPC by-laws but provide no higher-level legal protection from future development if said by-laws were to be revoked.

Photo Credit: Sun Journal

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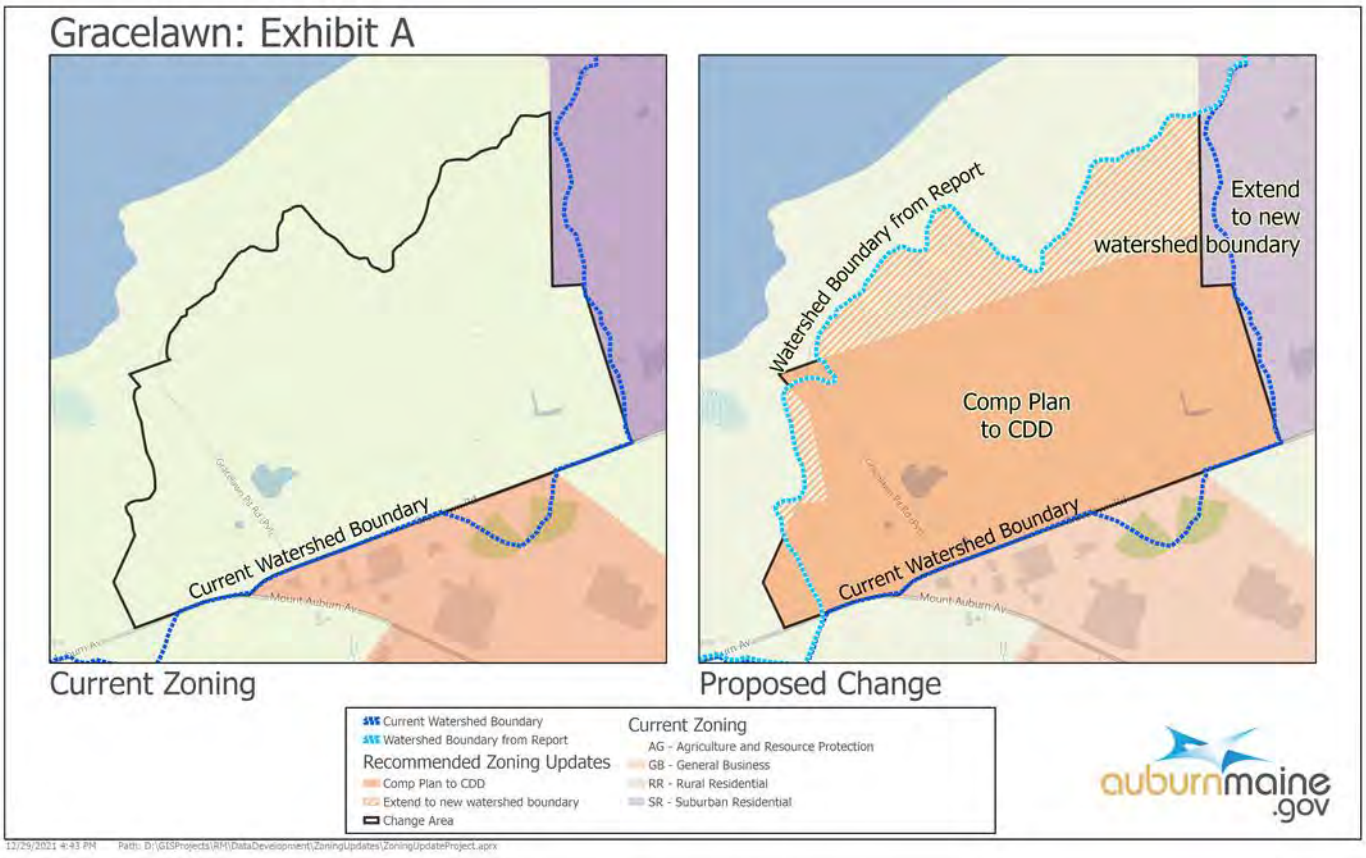
City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

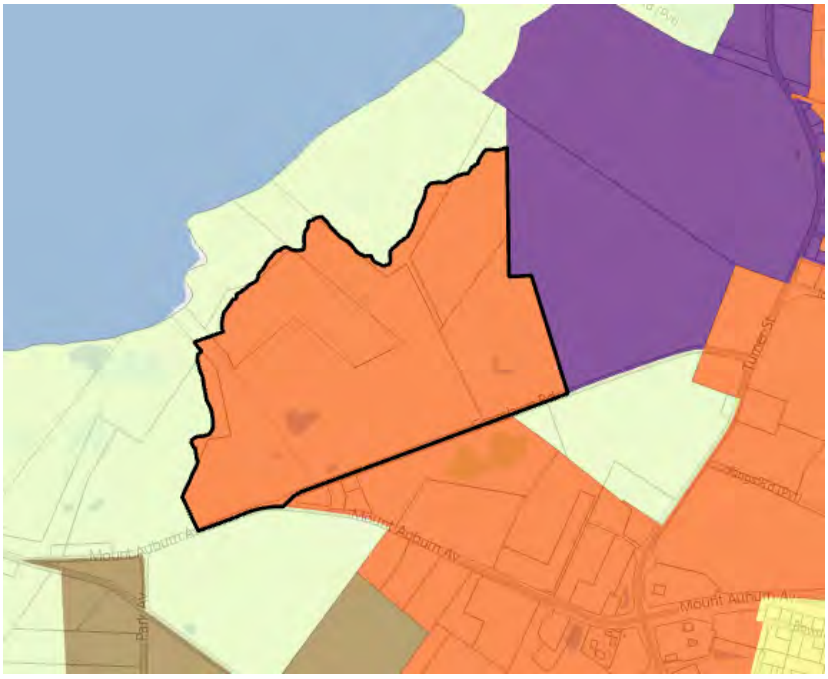
To: Auburn Planning Board
From: Eric J. Cousens, Director
Re: Gracelawn Area Zoning change AGRP to GB and Watershed District Zoning Boundary amendment from the 2021 Updated Comprehensive Plan

Date: February 8, 2022

PROPOSAL: **Gracelawn area;** The Comprehensive Plan recommends adjusting the zoning boundary to allow for reuse of the Gracelawn Gravel Pits for development where they no longer drain to Lake Auburn and shows about 111 acres proposed for the change. The Lake Auburn Study analyzed this further and recommends removing 148 acres from the Watershed based on topography and ground water data. Approximately 37 acres are not shown as Commercial Development District (CDD) in approved FLU mapping because the approximate boundaries for the conceptual change were conservative and were developed before the Lake Auburn Study was completed. We knew a majority of the land was not draining to the lake but the study identified a larger area draining away from the lake and the council approved utilizing the Auburn Lake Watershed Study as part of the Comprehensive Plan Updates. In that study they suggested moving the watershed boundary to match the actual drainage area boundary. From that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary for a total of 148 +/- acres. (See Below Exhibit A.)



Our Comprehensive plan uses some different nomenclature than our existing ordinance for different district names. One goal of the plan updates is to reduce the number of zoning districts by combining similar districts over time. Staff contemplated creating a new district titled CDD as part of this change but instead we recommend moving the existing boundary of the General Business District to include the referenced 148 acres shown on the map. The excerpt below from the Comprehensive Plan provides a description of the CDD. This will make the boundary adjustment to the localized area and leave the combining of the GB and GBII districts for a future discussion without creating and additional zoning District in the interim. As you can see the CDD text recommendations will eventually combine the two districts and will require notification to the entirety of the GB and GBII zoning districts and a public hearing to discuss that as a future separate item.



COMMERCIAL DEVELOPMENT DISTRICT (CDD)(Excerpt from Comprehensive Plan)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic. The district will allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses – The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed in the General Business Development District:

- *Low and High Residential Density Uses*
- *Retail uses including large-scale uses (>100,000 square feet)*
- *Personal and business services*
- *Business and professional offices*
- *Medical facilities and clinics*
- *Restaurants*
- *Hotel, motels, inns, and bed & breakfast establishments*
- *Low and High-Density Residential Uses*
- *Community services and government uses*
- *Research, light manufacturing, assembly, and wholesale uses*
- *Truck terminals and distribution uses*
- *Contractors and similar activities*
- *Motor vehicle and equipment sales*
- *Motor vehicle service and repair*
- *Recreational and entertainment uses and facilities*

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

The current proposal also includes an adjustment of the Lake Auburn Watershed District Zoning Overlay to match what science has shown us to be the actual drainage boundary to the physical Lake Auburn Watershed. The revised boundary is shown as a blue line in the map on the previous page titled Proposed Change. A copy of the Lake Auburn watershed Study Pages recommending this change is attached. The Lake Auburn Watershed Boundary is defined in our ordinance as follows:

Sec. 60-951. Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

The district, by definition, should match the actual drainage boundaries and we now have information that confirms that the existing Watershed District Map includes land that does not drain to the Lake.

PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests a planning board discuss the proposals and hold a Public Hearing on February 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes, 1: That the Lake Auburn Watershed Overlay Zoning Boundary be adjusted as shown in the Lake Auburn Watershed Study(and on the attached Map); and 2 that the General Business Boundary be adjusted to include the 148 acres shown on the map based on the following findings.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now the 2020 Comprehensive Plan recommend expanding the Commercial zoning in this area to include the area proposed on the map with a minor difference to follow existing property boundaries. This can be accomplished without creating a new district by using the existing General Business Zone.
2. The two small areas inside the watershed will be required to drain internally (out of the watershed) or meet phosphorus control standards.
3. The current Boundary of the Lake Auburn Watershed District Overlay Zoning Boundary has been shown to be different than the actual drainage boundary based on the Lake Auburn Watershed Study's analysis of topography and groundwater movement in the area and should be adjusted as proposed to match the physical drainage boundaries of the watershed.
4. The proposal can be implemented without detriment to Lake Auburn and is recommended by the Comprehensive Plan.

Lake Auburn Watershed Protection Commission

www.lakeauburnwater.org
Wednesday, February 9, 2022 at 3:30 pm – 5:30pm
AVCOG, 125 Manley Road, Auburn, Maine

Commissioners:

Steve French, Chairperson
Minot, Buckfield, Hebron Resident

Evan Cyr, Vice Chair
Auburn Resident

Rick LaChapelle
City of Lewiston Councilor

Dan Bilodeau
AWD Trustee

Camille Parrish
Auburn Resident

Amy Landry
AVCOG Executive Director

Alan Holbrook
Turner Resident

Dan Dube
Lewiston Resident

Mary Ann Brenchick
City of Lewiston PW Director

Staff:

Sid Hazelton, Clerk
Auburn Water District

Kevin Gagne, Clerk
City of Lewiston

Heather Hunter, Finance
City of Lewiston

Michael Broadbent,
Secretary
Auburn Water District

Erica Kidd,
Watershed Manager,
LAWPC

Carolyn Houtz,
Educational Coordinator
LAWPC

AGENDA

1. Executive Session regarding potential litigation in accordance with 1 M.R.S.A. 405 (6) (E) (10 min)

2. Minutes (5 min)
   a. November 10, 2021 regular meeting
   b. December 1, 2021 Workshop

3. Consent Agenda (5 min)
   a. Financial Quarterly Update – Heather
   b. Water Quality & Watershed Update - Erica
   c. Education and Outreach - Erica

4. Open Session -Public Comment (5 min)

5. Staff Clerks Report – Kevin (10 min)

6. Lake Auburn Study
   a. Highlights/Discussion – Erica (30 min)

7. Review of Proposed Septic Ordinance changes- Kevin (10 min)

8. Upstream Watershed Policies & Projects
   a. Town of Turner – Alan (30 min)

9. Old Business
   a. Roberts Rules update (5 min)
   b. Workshop Choices & Set Dates (5 min)
      i. Recreational use on lands we own
      ii. Prioritize projects from previous studies

10. New Business (5 min)

11. Executive Session regarding negotiations of potential land transactions in accordance with 1 M.R.S.A. 405 (6) (C) - (as needed)

12. Adjourn

MEETING SCHEDULE:

April 13, 2022
June 8, 2022
September 14, 2022
November 9, 2022
December 7, 2022, if needed

Lake Auburn Watershed Protection Commission

MEETING MEMORANDUM

To: Lake Auburn Watershed Protection Commissioners
From: Kevin Gagne & Sid Hazelton, Clerks
Date: February 2, 2022
Subject: Clerk Guide and Report for February 9, 2022

Introduction:

This is a new report we are starting to help provide some written background to issues considered or taken up for action by Commissioners of the Lake Auburn Watershed Protection Commission. While we will continue to engage and present information and offer guidance as Staff to the Commissioners at meetings and workshops, this report is for additional background and information on items before you, so your time at Commission meetings can be spent collectively taking action to protect the drinking water and filtration waivers for the communities of Auburn and Lewiston instead hearing background information.

Minutes

November 10, 2021 regular meeting: Watershed Commission Secretary Mike Broadbent has completed the minutes of the regularly scheduled meeting held on Wednesday November 10, 2021 at 3:30 pm and are attached for your review and acceptance. Video of the meeting has been posted on the watershed website for public viewing and as record of the meeting.

December 1, 2021 workshop: Watershed Commission Secretary Mike Broadbent has completed the minutes of the watershed workshop held on Wednesday December 1, 2021 at 3:30 pm and are attached for your review and acceptance. Video of the workshop has been posted on the watershed website for public viewing and as record of the meeting.

Consent Items

Financial Reports

Financial Reports: The Watershed Financial report will be presented by Heather Hunter at the meeting and her Statement of Revenues & Expenditures as of December 31, 2021 is attached for your review and reference.

Water Quality & Watershed Report

Water Quality Update: Erica has attached her detailed report. Lake Auburn officially froze with full ice on January 12, 2022 and with cold temperatures ice is getting thicker and with snow cover we are experiencing better than average water quality with low turbidity and low winter algae counts. With frozen ground conditions and additional snow cover through the winter and hopes of an average or later than normal ice off – this would be favorable for continued good water quality. Spring thaw is another factor in determining ice off and the longer ice stays on the Lake and hopefully with low runoff conditions (slow spring thaw) the better water quality we see in Lake Auburn and tributaries going into the summer.

Watershed Update: Erica has attached her report and will present at the meeting. One highlight is there has been no Commission forestry activities on watershed properties this winter. However, there has been one private harvest near Taber's.

With snow conditions, improving there is more winter activity on watershed trails with snow shoeing, cross-country skiing at this time and will depend on how long the snow conditions last.

Education and Outreach Report

Education and Outreach Update: Education and outreach has been on going with some in person winter walks and there are more activities planned. Erica and Carolyn have attached their report and they continue spreading the word of watershed events on our watershed webpage, YouTube, Facebook and on Instagram. They recently hosted a Winter Wildlife Walk with Ben Nugent of USDA on Whitman Spring Road as part of the Auburn Winter Fest on January 26, 2022 and they are currently hosting a virtual Winter Scavenger Hunt for participants until February 27, 2022 – submit your pictures today and spread the word.

6. Lake Auburn Study: The Lake Auburn Study, official titled "*A Regulatory, Environmental, and Economic Analysis of Water Supply Protection in Auburn, Maine*" commissioned by the City of Auburn, Planning Department, was released in its final version on November 1, 2021. The report aimed to conduct a 'thorough review of the existing conditions, standards, regulations and practices in Lake Auburn and its watershed.' and looked to recommend ways to 'maximize the benefits and minimizes the cost of regulatory, environmental, and economic impacts to Lake Auburn, its watershed, and the surrounding communities.'

The highlights of this lengthy study are important to the Watershed Commission, as our main goal is to protect our drinking water filtration waivers and protect our drinking water for both communities. The following is a list of recommendations from the Auburn Study:

1. Revise septic system requirements of Lake Auburn watershed overlay district ordinance to allow State of Maine subsurface rules and to allow for mounded leach fields and other State approved alternative systems where there is not a 36 inch vertical separation from organic horizon and bedrock, water table or other restrictive layer.

2. Revise the Phosphorus Control ordinance to clarify the limit of project to the limit of disturbed area and not dependent upon land use.

3. Require timber harvest and agricultural activities to meet same requirements as other land uses under the Phosphorus Control Ordinance – including erosion control standards.

4. Develop standards for farm management, to be applied to farms in the watershed to control erosion and phosphorus from farms to Lake Auburn.

5. Adjust the agricultural buffer strip requirements to improve effectiveness. Recommendation is to increase buffer from 75 ft to 100 ft with vegetated buffer down gradient of all agricultural activity, perpendicular to overland flow and in all areas of the Lake Auburn Watershed.

6. Update Lake Auburn Watershed boundary to remove 148 acres along Gracelawn Road from the Lake Auburn Watershed.

7. Incorporate low impact development standards for single-family residential development in the Lake Auburn Watershed, with some square foot limit and regulations.

7. Review of Proposed Septic Ordinance changes: The City of Auburn planning board is considering action on recommendation #1 in future meeting – revision of septic system requirements in the Lake Auburn overlay district by allowing more systems as approved by State of Maine subsurface rules where the current rules for 36 inch of vertical separation cannot be met.

To better understand the implications these septic changes would have regarding the waiver from filtration that each Lewiston Water Division and the Auburn Water District have independently but work jointly to maintain, each entity has asked the Maine Drinking Water Program (regulators of the waiver) of their opinion as to how the proposed septic ordinance changes would impact each waiver from filtration. Auburn Water did receive a response from the Susan Breau, Geologist of the Maine Drinking Water Program and Lewiston Water is waiting to receive a response from Susan Breau. Before we recommended any proposed actions or motions to the Commissioners, we will need some additional time to better understand the regulatory impacts to the waivers and policy options to recommend if necessary.

City of Auburn Zoning Map Amendment: At the January 11, 2022 Planning Board workshop, the proposal for zoning changing and watershed boundary change was discussed. At the February

8, 2022 meeting, the Auburn Planning Board is considering the rezoning of properties along Gracelawn Road including the gravel pits for development. As part of the rezoning, as recommended in the Lake Auburn Economic Study and the Auburn Comprehensive Plan, the planning board is also considering redefining approximately 148 acres currently in the Lake Auburn watershed boundary to a new watershed boundary-removing the 148 acres from the watershed, as portrayed in the report for this area of Gracelawn Road. This watershed boundary change is based on topography and ground water data as evaluated in 2021. The zoning change would change the current zoning of AG- Agricultural and Resource Protection into General Business Zone/Commercial Development District and allow expanded residential density uses, retail, personal and business and professional offices, medical facilities, restaurants, hotel/motel/inns/bed & breakfast, commercial and governmental uses, research/light manufacturing/wholesale, truck terminal/distribution, contractor, motor vehicle/equipment sales, service & repair, recreational/entertainment uses and facilities. Eric Cousins presented the proposed changes to the Commission at our September 8, 2021 meeting. Based on the proposed watershed boundary changes and the water and sewer utility services provided to these parcels and future developments by the AWSD, at this time Staff does not oppose the proposed changes to the watershed boundary or zoning as described in the planning board proposal (see attached). Future considerations that would raise concerns for Staff and the WS Commission would be for any type of industrial use or discharge that may leave the facility/business and cause contamination to Lake Auburn through direct or indirect discharge. This would be on a case by case use of the proposed activities.

8. Upstream Watershed Policies and Projects: Town of Turner; we welcome Commissioner Holbrook's discussion to share the policies of the Town of Turner as it related to land use and water quality in the watershed. Turner is very important as the majority area of the upper Lake Auburn watershed, land use and management has direct impacts to water quality of Lake Auburn through runoff and tributaries to Mud Pond, Little Wilson Pond, the Basin until it flows into the north end of Lake Auburn. Residents of Turner benefit from watershed protection efforts through good water quality of Mud Pond and Little Wilson Pond and play an important partner in the protection of Lake Auburn water quality as well.

Old Business

By-Laws Update: At the December 1, 2021 Commission workshop we discussed details and options for adopting or using Robert's Rules of Order. Mary Ann Brenchick has an update to present for consideration as to how the Commission could move forward.

Workshop Choices and Set Dates: At the December 1, 2021 Commission workshop we discussed the Commissioners interest to have additional workshops. We have some draft land use plans and should consider if Commissioners want to workshop Recreational use on Watershed Commission land.

Another topic for future workshop discussion is the master plan of prioritized projects proposed from previous studies and how those projects could be scheduled and put into motion.

Understanding each Commissioner volunteers their time and effort and most are also on other Boards and Committees for their organizations, what additional days would be considered for workshops and how often would workshops like to be conducted.

Suggested motion: To have a Watershed Commission workshop on March 9, 2022 at 3:30pm to discuss recreational uses on Lake Auburn Watershed Commission land.

New Business

New Watershed Commissioner: New Lewiston City Council, Rick LaChapelle has been appointed by the Lewiston City Council to the Lake Auburn Watershed Protection Commission. We welcome Rick to the Commission and while he is not able to attend this February meeting due to prior engagements, Rick is looking forward to joining the Commission at our April 13, 2022 meeting.

Lake Auburn Watershed Protection Commission

Meeting Minutes

Wednesday, November 10, 2021

Location: Androscoggin Valley Council of Governments (AVCOG), Auburn, Maine

Time: Meeting began at 3:30 PM

Recording: The meeting was recorded.

Commissioners Present: Camille Parrish, Mary Ann Brenchick, Dan Dube, Amy Landry, Dan Bilodeau, Alan Holbrook and Steve French

Dan Dube was appointed as the City of Lewiston Commissioner- at-Large.

Commissioners Absent: Evan Cyr, Caleb Roebuck

Others Present: Sid Hazelton and Kevin Gagne, LAWPC Clerks, Michael Broadbent LAWPC Secretary, Erica Kidd Watershed Manager, Carolyn Houtz Education and Outreach Coordinator and Heather Hunter Commission Treasurer.

Agenda Item 1: Approve minutes of the regular meeting of September 8, 2021

Vote-1 On a motion by Commissioner Brenchick and seconded by Commissioner Parrish to approve the minutes as presented.

Passed 7-0

Agenda Item 2: Quarterly Financial Update – *Heather Hunter*

Heather went over a quarterly financial report that was last updated November 3, 2021. There have been a few fluctuations particularly in source protection. Overall, the Commission is in good financial shape.

Vote-2 On a motion by Commissioner Landry and seconded by Commissioner Brenchick to accept the quarterly financial report that was presented.

Passed 7-0

Agenda Item 3: 2022 Budget Approval

Heather went over the 2022 proposed Commission Budget. She explained all changes made to the budget and how they affect the operation of the Commission. There are no big changes from 2021 to 2022. There was a small increase in the contributions from both Lewiston and the Auburn Water District.

Vote-3 On a motion by Commissioner Brenchick and seconded by Commissioner Landry to accept the 2022 Budget as presented.

Passed 6-1

Heather reported that she will no longer be able to serve as Treasurer to the Commission. Heather has been with the Commission since its inception. Heather suggested that she stay on until the Audit. She asked how the Commissioners would like to replace her. Heather will look to see if there are any other staff members in Lewiston that could fill the role and Sid will check with the Auburn Water District staff.

Agenda Item 4: Future Agenda Packets

Before discussion on this item was started the Commission did introductions as there was a new Lewiston Commissioner- at-Large present. Dan Dube was introduced and welcomed to the group.

Commissioner Brenchick presented a sample agenda that is similar to what is used by the Water Pollution Control Authority. This style of agenda may help the Commission meetings flow better. This agenda is typically sent with a memo from the Manager which explains the expectation of Commissioners prior to the meeting.

The Commissioners liked the layout and would like to discuss it more at the workshop in December.

Agenda Item 5: Water Quality & Activity Report- *Erica Kidd*

Erica went over water quality graphs that were included in the agenda packet. She pointed out that currently the lake is slightly warmer than normal for this time of year. She reported that turnover of the lake should occur sometime in the coming week. In conjunction with the lake temperature the clarity of the lake is also up. Staff has been working with partners to identify the algae that is currently in the lake.

Erica also went over phosphorus, secci disk readings and fecal/total coliform sampling results from within the lake and its tributaries.

Erica presented on several timber harvests that are on-going on private property within the Watershed. She reviews harvest plans when they are sent to her by the City. There have been instances when she does not get that information so she reaches out to the owners when needed.

Erica has been working with the owners of the new horse farm on West Auburn Rd. This facility has been approved by the City. Erica has been working with them to make sure they understand their impact within the Watershed. There was some concern that those horses would utilize some of the Commission trails. It is un-clear at this time if they plan to utilize the trails in the area.

Erica reported that drainage improvements along Whitman Spring Road are on-going. Lewiston crews have been working to replace culverts and stabilize drainage areas.

Erica provided an update on the City of Auburn's efforts to amend the strip zones within the Watershed. The proposed changes would increase the developable area within the Watershed. The Planning Board has voted against moving forward with this change. The City is also looking to revise their comp-plan. The proposed changes would again increase the developable area within the Watershed. Erica is going to continue to monitor the progress of this revision.

Lake Auburn Study; Sid forwarded all of the Commissioners a copy of the now completed Lake Auburn Study. He would like to receive feedback from Commissioners which would be helpful to present back to the City. The City plans to go over the Study with the Councilors in the Spring on 2022. At this time the City does not plan to have a public presentation of the study. Commissioner Bilodeau recommended that Commissioners look at page 41 and consider adopting more stringent best management practices as they relate to the Commission logging practices.

There was also discussion on working with our neighboring towns to protect the Watershed in those communities.

Blanchard Pond Remediation; Erica went over a Remediation proposal for the Blanchard Pond watershed. This is work Erica would like to see happen in the Spring of 2022.

Vote-4 On a motion by Commissioner Brenchick and seconded by Commissioner Bilodeau to accept the Tighe-Bond proposal and to proceed with the design and remediation work as presented.

Passed 7-0

Carolyn Houtz introduced herself as the new Education and Outreach Coordinator for the Commission. Carolyn has a background in Environmental Science and Stewardship and also has a degree in Environmental Science and Economics. She is excited to join our team and has been getting acclimated with the Watershed. She has updated our social media pages and wants to increase our activity. Carolyn has also started meeting with stewards of the Watershed to introduce herself and start a working relationship.

Agenda Item 9: Open Session-Public Comments

No comments.

Agenda Item 6: Land Negotiation – Executive Session regarding potential land transactions in accordance with 1 M.S.R.A. § 405(6)(E).

Vote-5 On a motion by Commissioner Brenchick and seconded by Commissioner Landry to go into Executive Session pursuant to 1 M.S.R.A. § 405(6)(E).

Passed 7-0

Executive Session ended at 4:53pm

Agenda Item 7: Executive Session regarding potential litigation in accordance with 1 M.S.R.A. § 405(6)(E).

Vote-6 On a motion by Commissioner Brenchick and seconded by Commissioner Landry to go into Executive Session pursuant to 1 M.S.R.A. § 405(6)(E).

Passed 7-0

Executive Session ended at 5:12 pm

Commissioner French asked Sid if he could send all of the Commissioners a copy of the report submitted to the Board of Professional Engineers by Commission attorney, Jim Pross.

Agenda Item 8: December 1 Workshop – Set agenda

There was discussion by the Commissioners that they would like a review of Robert's Rules. There has been discussion about changing the format of the agendas and frequently asked questions by the Commissioners.

Agenda Item 10: Open Session-Commissioners

Dan updated the Commissioners on the progress of the review of the Bi-Laws for the Protection of Lake Auburn. Dan serves on an Auburn Water District appointed committee assigned to review the existing Bi-laws.

Agenda Item 11: Adjourn Meeting.

Vote-7 On a motion by Commissioner Parrish and seconded by Commissioner Bilodeau to adjourn the meeting

Passed 7-0

A true record, attest;

Michael Broadbent
Secretary of the LAWPC

Lake Auburn Watershed Protection Commission

WORKSHOP

Meeting Minutes

Wednesday, December 1, 2021

Location: Androscoggin Valley Council of Governments (AVCOG), Auburn, Maine

Time: Meeting began at 3:30 PM

Recording: The meeting was recorded.

Commissioners Present: Dan Dube, Mary Ann Brenchick, Caleb Roebuck, Amy Landry, Dan Bilodeau, Alan Holbrook, Evan Cyr and Steve French

Commissioners Absent: Camille Parrish

Others Present: Kevin Gagne, LAWPC Clerk, Michael Broadbent LAWPC Secretary, Erica Kidd Watershed Manager and Carolyn Houtz Education and Outreach Coordinator.

Agenda Item 1: Review of Robert's Rules

Commissioner Brenchick gave a presentation on the history and basic guidelines of Robert's Rules. Commissioners then discussed the ability to either adopt all of Robert's Rules or only the sections that apply to the Commission and how it operates.

Items of interest were discussed including majority voting and how to properly close an executive session. It was agreed that the Commission should stay consistent with the Auburn Water District's bi-laws.

Agenda Item 2 & 3: FAQ List – from our Commissioners, Topics for future workshops

Discussions of Robert's Rules led directly into agenda items 2 & 3. The Commissioners are interested in having future workshops and discussed several topics for discussion including some of the frequently asked questions they all have:

- How to properly close/come out of executive sessions.
- Amending the format of meeting agendas
- What specific powers do the Commission Clerks have.
- Create a formal mechanism to set the time frame for meetings and to extend them if needed.

- How and when should we review and comment on the Lake Auburn Study conducted by the City of Auburn.
- Prioritize projects from previous studies in the watershed.
- Creating recreation easements for the City on Commission properties.
- Recreational use of Commission land – trails, snowmobiling, etc.
- Guidance for Commissioners on how to properly engage with surrounding towns on the importance of watershed protection.

A true record, attest;

Michael Broadbent
LAWPC Secretary

Lake Auburn Watershed Commission
Statement of Revenues & Expenditures
As of 12/31/21

	Original Operating Budget	Final Operating Budget	Operating Account	Balance	Sinking Fund	YTD Combined	12/31/20 Combined
Revenues:							
Contributions - AWD	52,500.00	52,500.00	52,500.00	-	22,500.00	75,000.00	65,000.04
Contributions - LWD	52,500.00	52,500.00	52,500.00	-	22,500.00	75,000.00	65,000.00
Timber Harvesting	20,000.00	20,000.00	93,763.92	(73,763.92)		93,763.92	-
Gain on Sale of Assets			4,576.64	(4,576.64)	21,253.82	25,830.46	
Water Withdrawal Revenue			4,421.45	(4,421.45)		4,421.45	7,282.68
Intergovernmental	1,500.00	1,500.00	2,200.00	(700.00)		2,200.00	2,000.00
Interest	2,500.00	2,500.00	344.82	2,155.18	957.75	1,302.57	3,963.94
Total Revenues	**129,000.00**	**129,000.00**	**210,306.83**	**(81,306.83)**	**67,211.57**	**277,518.40**	**143,246.86**
Expenditures:							
Auburn Water Department	6,000.00	6,000.00	5,191.00	809.00		5,191.00	6,755.35
Lewiston Water Division	6,000.00	6,000.00	8,991.17	(2,991.17)		8,991.17	4,281.50
Executive Administration	1,000.00	1,000.00	-	1,000.00		-	62.49
Forestry	4,500.00	4,500.00	10,064.59	(5,564.59)		10,064.59	4,895.00
Outside Services	3,325.00	3,325.00	3,435.00	(110.00)		3,435.00	3,325.00
Sanitary Facilities	3,760.00	3,760.00	2,680.00	1,080.00		2,680.00	3,680.00
Source Protection	60,500.00	60,500.00	41,198.99	19,301.01		41,198.99	111,806.99
Repairs to Property & Equipment	6,000.00	6,000.00	3,252.94	2,747.06		3,252.94	2,454.77
Public Education	1,775.00	1,775.00	2,371.28	(596.28)		2,371.28	17.00
Public Ed. - Labor	24,000.00	24,000.00	11,902.33	12,097.67		11,902.33	11,975.44
Public Ed. - Supplies	1,800.00	1,800.00	2,035.79	(235.79)		2,035.79	838.98
Public Ed. - Events	1,500.00	1,500.00	189.49	1,310.51		189.49	-
Public Ed. - Outside Services	1,000.00	1,000.00	-	1,000.00		-	838.69
Public Ed. - Public Relations	2,500.00	2,500.00	498.52	2,001.48		498.52	1,079.49
Public Ed. - Miscellaneous	1,750.00	1,750.00	1,183.83	566.17		1,183.63	661.93
Liability & D&O Insurance	12,150.00	12,150.00	12,075.47	74.53		12,075.47	11,446.08
Legal	1,000.00	1,000.00	6,454.50	(5,454.50)		6,454.50	127.50
Audit/Financial Services	6,695.00	6,695.00	6,595.26	99.74		6,595.26	6,441.26
Property Taxes	5,025.00	5,025.00	4,515.20	509.80		4,515.20	4,710.32
Operational Supplies	1,000.00	1,000.00	1,999.73	(999.73)		1,999.73	2,201.62
Depreciation/Amortization Expense			4,166.94	(4,166.94)	32,677.16	36,844.10	70,538.42
Miscellaneous	1,010.00	1,010.00	435.49	574.51	1,740.00	2,175.49	3,367.33
Total Expenditures	**152,290.00**	**152,290.00**	**129,237.52**	**23,052.48**	**34,417.16**	**163,654.68**	**251,505.16**
Excess Revenues Over Expenditures	(23,290.00)	(23,290.00)	81,069.31		32,794.41	113,863.72	(108,258.50)
Retained Earnings/Fund Balance, 1/1			2,137,348.81		3,411,135.20	5,548,484.01	5,656,742.51
Retained Earnings/Fund Balance, 12/31			**2,218,416.12**		**3,443,929.61**	**5,662,347.73**	**5,548,484.01**

Water Quality Report

1. Ice-on was 1/12/22.
2. No in-lake or tributary sampling occurs during ice-on.
3. Turbidity in January has been between 0.4-0.6 NTU.
4. Please see attached temperature and turbidity graphs for reference.
5. Fecal datasheets are also included.

Watershed Report

1. Lake Study proposed septic ordinance change brought to City Council on 1/3/22, who directed the Planning Board to further review the change. This topic has not yet been an agenda item for a Planning Board meeting.
2. Lake Study proposed watershed boundary change also brought to City Council on 1/3/22 and passed to Planning Board for public hearing on 2/8/22.
3. The key points of the Lake Study that could impact the watershed are included in this packet. Please see the Executive Summary and Section 5.
4. City of Auburn will be resurfacing sections of roads in the watershed in 2022: Skillings Corner Road, Johnson Road, Dillingham Hill Road, and Beaver Road.
5. Beaver were trapped and removed near the headwater of Townsend Brook on the Auburn/Turner town line in January.
6. Timber harvests took place on private property in the watershed near Tabers in Auburn.
7. Staff are considering hiring a part-time, year-round Watershed Warden to patrol the watershed in place of the Auburn Police Department lake patrols that take place during the summer.
8. Erica Kidd has been working with Alan Holbrook to include the Town of Turner in watershed protection. More information on the Town of Turner is included in this packet.

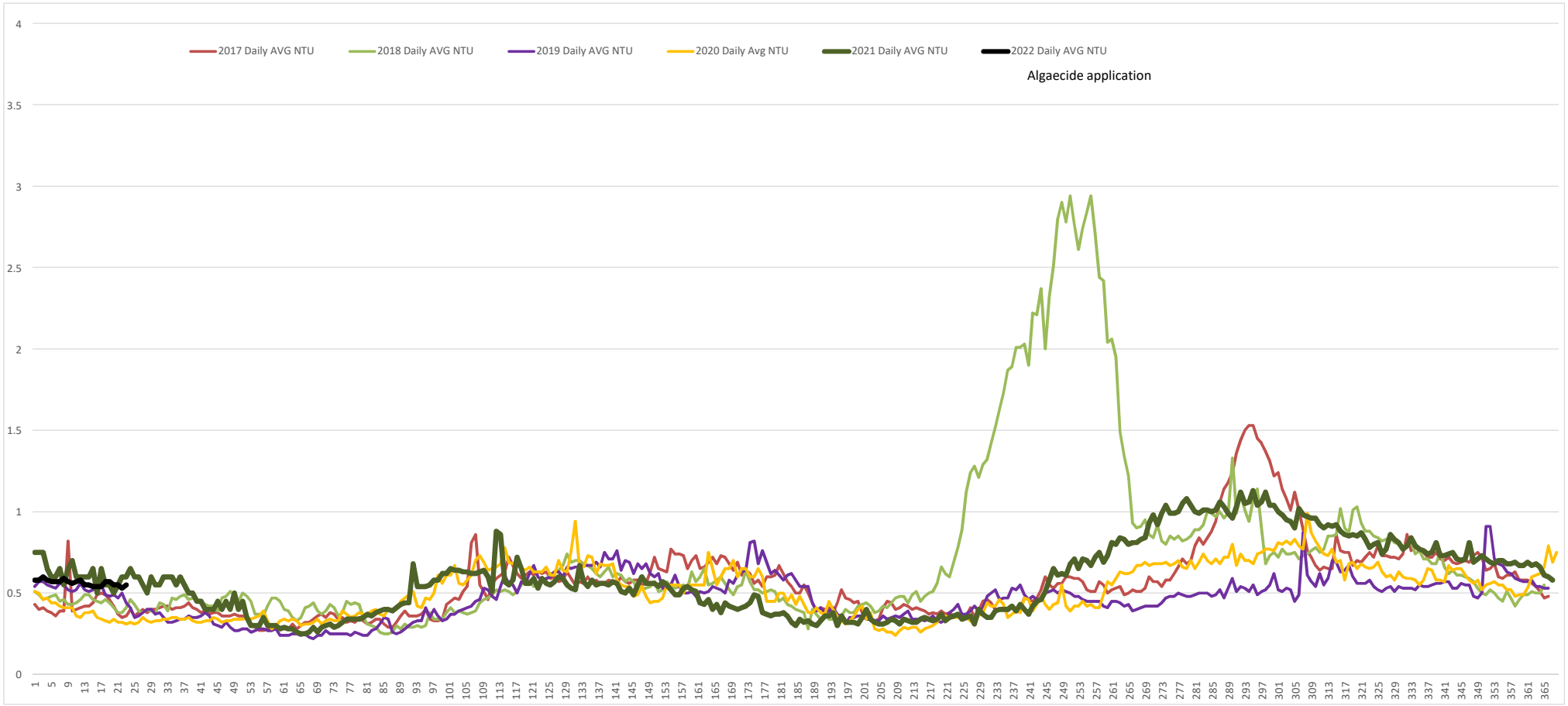
Education and Outreach Report

- November 23 Auburn Middle School Field Trip – Pollution lesson, plant tour, Salmon Point walk
- November 20 Salmon Point Clean Up – Cleaning trails, removing Asiatic bittersweet
- January 26 Wildlife and Nature Walk at the Summer Street Conservation Easement
- Tot Lot Presentation and discussions – Next steps are building up a volunteer base and regular clearing days
- Social Media Updates
- Website Updates
- Trail Updates, creating maps for the public
- Planning with Auburn Conservation Commission, Androscoggin Land Trust, for invasive management
- Planning with LA Arts for seasonal art events
- Planning with Auburn Girl Scouts for May Water Day
- 2 cancelled field trips due to COVID – created the need for virtual tours and more digital information

Upcoming Events:

- Edward Little High and AVEC wildlife and nature walks

- February 8th Water and Wildlife – Online presentation hosting the Center for Wildlife
- March 20th Sponsored Public Skate with Lake Stewards of Maine
- June Soil in and out of the Watershed Talk Series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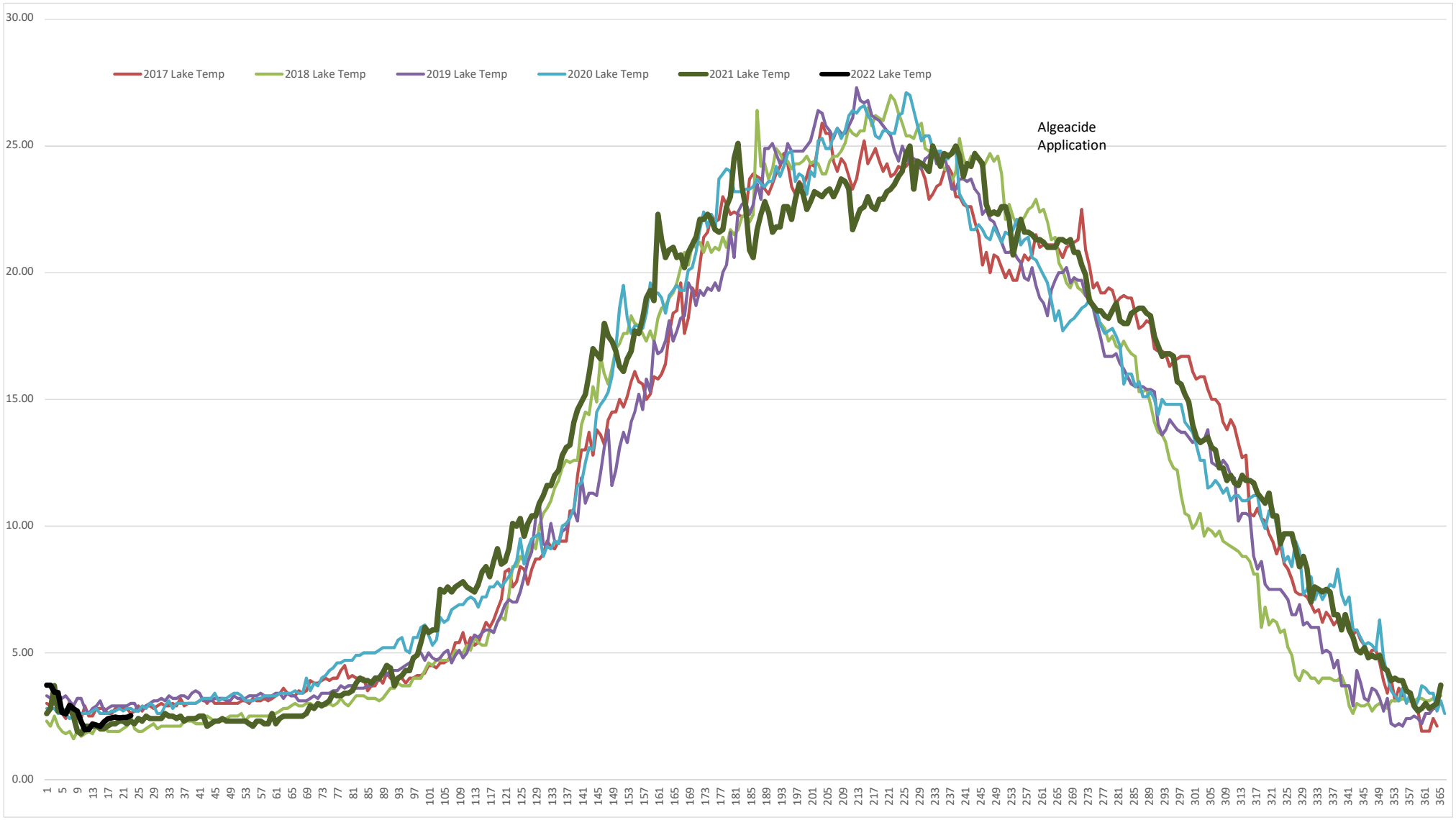
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Nov-21						INLINE					
Collected			Temp	Turbidity		Ph	Amount	FECAL	QUANTITRAY		Fecal
DATE	TIME	BY	*C	1720E	TU5200	230 A	Sample	BACTERIA	TOTAL	E.COLI	Confirmation
11/1	0330	DAF	13.5	0.90	0.90	7.08	100	1	770.1	1	P,P
11/2	0345	DAF	13.1	1.05	1.10	7.01	100	4			P,P/P,P/P,P/P,P
11/3	0350	DAF	13.0	0.90	0.85	7.05	100	6			P,P/P,P/P,P/P,P/P,P
11/4	0345	DAF	12.3	0.95	1.00	7.04	100	4			
11/5	0345	DAF	12.3	0.95	0.85	7.00	100	3			
11/6	0800	LRB	11.8	0.90	0.80	7.12	100	0			
11/7	0845	LRB	12.0	0.85	0.90	7.06	100	3			
11/8	0305	DAF	11.7	0.85	0.80	7.20	100	2	344.8	2	
11/9	0350	DAF	11.6	0.90	0.90	7.18	100	0			
11/10	0320	DAF	12.0	0.90	0.95	7.00	100	0			
11/11	0620	DAF	11.8	0.85	0.90	6.98	100	1			
11/12	0415	DAF	11.8	0.85	0.80	7.12	100	2			
11/13	0620	DAF	11.7	0.85	0.85	7.06	100	5			
11/14	0630	DAF	11.3	0.85	0.85	7.20	100	10			
11/15	0355	DAF	11.1	0.90	1.00	7.09	100	2	385.4	<1	
11/16	0350	DAF	10.9	0.90	0.90	7.04	100	2			
11/17	0355	DAF	11.3	0.90	0.90	7.26	100	2			
11/18	0355	DAF	10.4	0.75	0.80	7.15	100	2			
11/19	0400	LRB	10.4	0.75	0.80	7.05	100	2			
11/20	0810	LRB	9.3	0.85	0.90	7.15	100	3			
11/21	0805	LRB	9.7	0.75	0.75	7.19	100	5			
11/22	0355	DAF	9.7	0.75	0.75	7.08	100	2	261.3	1	
11/23	0350	DAF	9.7	0.80	0.80	7.03	100	0			
11/24	0345	DAF	9.1	0.85	0.85	7.08	100	0			
11/25	0540	DAF	8.4	0.80	0.80	7.09	100	1			
11/26	0550	DAF	8.8	0.75	0.70	7.09	100	0			
11/27	0545	DAF	8.3	0.75	0.75	7.11	100	3			
11/28	0645	DAF	7.0	0.95	1.00	7.15	100	3			
11/29	0615	DAF	7.6	0.75	0.75	7.03	100	0	95.9	1	
11/30	0345	DAF	7.5	0.75	0.70	7.06	100	0			

Dec-21

INLINE

Collected			Temp pH probe	Turbidity		Ph	Amount	FECAL	QUANTITRAY		Fecal
DATE	TIME	BY	*C	1720E	TU5200	230 A	Sample	BACTERIA	TOTAL	E.COLI	Confirmation
12/1	0350	DAF	7.4	0.75	0.75	7.04	100	1			P,P
12/2	0335	DAF	7.5	0.75	0.70	7.03	100	0			
12/3	0420	DAF	7.4	0.75	0.70	7.06	100	1			P,P
12/4	0630	DAF	6.5	0.75	0.75	7.06	100	4			P,P/P,P/P,P/P,P
12/5	0615	DAF	6.5	0.70	0.65	7.09	100	4			P,P/P,P/P,P/P,P
12/6	0350	DAF	5.9	0.70	0.70	7.09	100	0	248.1	2	
12/7	0750	LRB	6.5	0.65	0.55	7.07	100	0			
12/8	0350	DAF	5.9	0.70	0.65	7.07	100	0			
12/9	0735	LRB	5.6	0.65	0.60	6.96	100	5			
12/10	0600	LRB	5.1	0.65	0.60	7.12	100	4			
12/11	0550	DAF	5.0	0.60	0.60	7.04	100	4			
12/12	0600	DAF	5.2	0.65	0.65	7.03	100	3			
12/13	0350	DAF	4.8	0.60	0.60	7.06	100	2	27.5	<1	
12/14	0345	DAF	4.9	0.70	0.75	7.10	100	3			
12/15	0345	DAF	4.8	0.70	0.70	7.06	100	3			
12/16	0510	DAF	4.9	0.70	0.60	7.11	100	5			
12/17	0725	LRB	4.4	0.60	0.60	7.12	100	5			
12/18	0810	LRB	4.3	0.60	0.60	7.15	100	3			
12/19	0830	LRB	3.9	0.65	0.70	7.16	100	2			
12/20	0350	DAF	4.0	0.70	0.75	7.14	100	10	22.8	5.2	
12/21	0305	DAF	3.9	0.65	0.70	7.16	100	4			
12/22	0255	DAF	3.9	0.65	0.70	7.10	100	0			
12/23	0400	DAF	3.5	0.65	0.60	7.06	100	5			
12/24	0515	DAF	3.4	0.65	0.65	7.09	100	2			
12/25	0430	DAF	2.9	0.60	0.60	6.97	100	0			
12/26	0350	DAF	2.7	0.65	0.65	7.01	100	1			
12/27	0305	DAF	2.8	0.60	0.60	6.98	100	3	10.9	1	
12/28	0345	DAF	3.0	0.60	0.55	7.04	100	2			
12/29	0345	DAF	2.8	0.60	0.55	7.08	100	3			
12/30	0320	DAF	2.9	0.60	0.50	7.17	100	0			
12/31	0930	LRB	3.0	0.55	0.55	7.14	100	2			

Jan-22			INLINE								
Collected			Temp	Turbidity		Ph	Amount	FECAL	QUANTITRAY		Fecal
DATE	TIME	BY	*C	1720E	TU5200	230 A	Sample	BACTERIA	TOTAL	E.COLI	Confirmation
1/1	0925	LRB	3.0	0.55	0.55	7.15	100	2			P,P/P,P
1/2	0935	LRB	3.0	0.55	0.55	7.09	100	2			P,P/P,P
1/3	0305	DAF	2.9	0.55	0.55	7.12	100	6	10.8	1	
1/4	0800	DAF	2.9	0.55	0.50	7.16	100	1			
1/5	0345	DAF	2.4	0.55	0.50	7.17	100	0			
1/6	0350	DAF	2.3	0.55	0.60	7.21	100	0			
1/7	0250	DAF	2.2	0.55	0.60	7.22	100	2			P,P/P,P
1/8	0805	LRB	1.8	0.55	0.55	7.18	100	2			P,P/P,P
1/9	0805	LRB	2.0	0.50	0.50	7.23	100	2			P,P/P,P
1/10	0350	DAF	2.0	0.50	0.45	7.20	100	4	3.1	1	
1/11	0745	LRB	1.2	0.50	0.55	7.17	100	1			
1/12	0330	DAF	1.3	0.55	0.60	7.21	100	1			
1/13	0350	DAF	1.5	0.55	0.55	7.25	100	1			
1/14	0345	DAF	1.4	0.55	0.55	7.23	100	3			
1/15	0620	DAF	1.2	0.50	0.50	7.29	100	0			
1/16	0630	DAF	1.2	0.50	0.45	7.26	100	0			
1/17	0550	DAF	1.4	0.50	0.50	7.22	100	0	6.3	<1	
1/18	0750	LRB	1.3	0.50	0.40	7.16	100	0			
1/19	0320	DAF	1.6	0.50	0.50	7.20	100	0			
1/20	0410	DAF	1.5	0.50	0.45	7.17	100	0			
1/21	0930	DAF	1.4	0.50	0.50	7.09	100	0			
1/22	0945	LRB	1.5	0.45	0.50	7.18	100	0			
1/23	0945	LRB	1.4	0.45	0.50	7.23	100	0			
1/24	0340	DAF	1.5	0.50	0.55	7.16	100	0	3	<1	
1/25	0315	DAF	1.7	0.50	0.50	7.21	100	0			
1/26	0310	DAF	1.8	0.50	0.45	7.26	100	0			
1/27	0325	DAF	1.8	0.50	0.40	7.24	100	0			
1/28	0415	DAF	1.8	0.45	0.40	7.21	100	0			
1/29	0615	DAF	1.7	0.45	0.40	7.26	100	0			
1/30	0615	DAF	1.8	0.45	0.40	7.27	100	0			
1/31	1035	LRB	1.5	0.40	0.40	7.22	100	0	3.1	<1	

Executive Summary

Lake Auburn is the only public drinking water supply for the Maine cities of Auburn and Lewiston. In recent years, signs of declining water quality have given rise to public calls for actions that would upend the status quo of the last several decades. Some have argued that the authorities in charge of ensuring a clean water supply from Lake Auburn should protect more of the watershed that contributes to the lake. Others have called for the City of Auburn, the Auburn Water District, or other authorities to revise the regulatory framework that protects the lake from encroaching activities that could contaminate it, while still others have proposed proactively building a water filtration plant to treat water of more variable quality. These suggested actions, while not inherently conflicting, have not yet been comprehensively examined for the potential benefits to Lake Auburn's water quality, nor have the regulatory or economic impacts been adequately considered.

The City of Auburn commissioned the present study to address this gap in understanding about Lake Auburn's present state compared to a range of future scenarios. In 2021, the City hired the interdisciplinary consultant team of FB Environmental Associates, Horsley Witten Group, and the University of Maine to 1) carry out a thorough review of existing conditions, standards, regulations, and practices in Lake Auburn and its watershed, 2) quantify to the greatest extent possible the regulatory, environmental, and economic impacts of the current status quo and future scenarios, and 3) evaluate and recommend potential ways forward that maximizes the benefits and minimizes the costs of regulatory, environmental, and economic impacts to Lake Auburn, its watershed, and the surrounding communities.

This report follows three lines of inquiry examining the key aspects of Lake Auburn as a water supply – its regulations, its environment, and its economics. These lines of inquiry are treated individually as sections of this report, but with the understanding that they are closely intertwined and inform each other. **Section 1** introduces Lake Auburn, outlines the motivation and purpose of the study, and gives key background information such as historical context and a summary of current conditions.

Section 2, Analysis of Regulatory Impacts, examines the regulatory framework protecting water quality. City of Auburn regulations are evaluated through literature review and comparative analysis using other water supply lakes and State and federal models. We found that the regulatory framework for the protection of Lake Auburn as a water supply is mostly robust and effective. We recommend several revisions that will better align the regulations with the best available science and State and regional norms and apply them more fairly across different land uses and activities:

- Align the septic system regulations contained in the Lake Auburn Watershed Overlay District Ordinance with the best available science and Maine's septic system regulations.
- Develop a clear set of standards for farm management that will limit phosphorus loading from commercial agricultural activities.
- Incorporate low impact development requirements for new single family residential development.

Section 3, Analysis of Environmental Impacts, analyzes the environmental impact of various development and water quality scenarios for the Lake Auburn watershed. The analysis uses a well-documented watershed model paired with in-lake empirical formulas to predict water quality outcomes under each future scenario. This section also reviews recreational uses of the lake, forest management, and the history of land purchases for water supply protection in the watershed. We find that Lake Auburn reached a tipping point in the 2010s where key environmental thresholds were reached or passed. In the lake, levels of phosphorus – a key nutrient for the growth of aquatic algae – rose above 10 parts per billion (averaged annually) and elevated the risk of algae blooms. Meanwhile, in the watershed, forested land cover dipped below 75% of the land area, meaning that more sources of phosphorus contamination, such as impervious surfaces, areas of bare soil, and septic systems, were contributing to the lake. Treatment of the lake with alum in 2019 was successful and achieved a temporary reset in lake phosphorus levels.

Looking forward, our model projects existing conditions and development rates ahead to 2100 (the "Business as Usual" scenario), by which time Lake Auburn will again near the tipping point of 10 parts per billion phosphorus, even with the regular use of alum treatments. Future scenarios that ease restrictions on residential growth will result in higher concentrations of phosphorus and higher risk of algae blooms. Requiring low impact development – innovative techniques that reduce impervious cover and encourage stormwater to pass through the groundwater before reaching the lake, thus filtering out contaminants – makes a small but significant positive impact on phosphorus and the risk of algae growth.

Section 4, Analysis of Economic Impacts, examines the costs and benefits of the same development and water quality scenarios for the Lake Auburn watershed that are covered by the environmental analysis in Section 3. The analysis combines well-established economic methods with data on land use and water quality to systematically evaluate how these scenarios change or reallocate costs and benefits. We find that the source of the largest increases in benefits in all future scenarios is the increase in property taxes collected by Auburn, which climb from $3.6 million to $9 million annually in the highest development scenario. Meanwhile, the source of the largest extra costs is in dealing with declining water quality in Lake Auburn, especially treating water in a filtration plant which is estimated at over $3 million annually. Table 4-7 provides a detailed summary of our estimated aggregate costs and benefits across all scenarios. We find that the added benefits to Auburn are mostly or entirely offset by increased costs to Lewiston, resulting in negligible net economic benefit to the communities served by Lake Auburn.

Section 5 provides a summary of key findings, a discussion on several topics that overlap the regulatory, environmental, and economic analyses, and a set of holistic recommendations for the City of Auburn and other stakeholders to consider:

1. The City of Auburn should not seek to ease the current resource protection zoning or consider rezoning portions of the watershed for increased density. Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed.

2. The Auburn Planning Board and City Council should take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. The City of Auburn should share the findings on aggregate economic impacts with all partners and stakeholders for use in an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward.

4. The City of Auburn, the Auburn Water District, the City of Lewiston, and the Lake Auburn Watershed Protection Commission should fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed to control development and limit phosphorus loading.

5. The key Lake Auburn stakeholders should cooperatively conduct a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both the Auburn Water District and Bates College in the Lake Auburn watershed. This initiative should produce a monitoring plan, create a position for a full-time, dedicated data manager, continue collaboration with Bates College on student-assisted monitoring, and consider creating a technical science advisory board to the Lake Auburn Watershed Protection Commission to establish or maintain key local, State, and regional partnerships for review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the water supply intake should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. The Lake Auburn Watershed Protection Commission should coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. The Lake Auburn Watershed Protection Commission should develop a comprehensive natural resource management plan for their lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection, with multiple management options offered. The plan should incorporate new mapping of critical resources such as streams, wetlands, vernal pools, cover types, and rare, threatened, and endangered species present.

10. The Lake Auburn Watershed Protection Commission should work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that the Commission consider putting all their properties into permanent conservation.

5 Findings, Synthesis, & Holistic Recommendations

This section draws out key conclusions from the report's preceding Sections 2, 3, and 4 which contain our analyses of the regulatory, environmental, and economic impacts of Lake Auburn as a public drinking water supply. Synthesis and further discussion, along with consideration of examples from comparable water supplies, are also provided for several key conclusions that recur throughout the preceding sections. Lastly, this section puts forth holistic recommendations for the City of Auburn, as well as the broader community of stakeholders, with the aim of promoting water supply protection efforts and initiatives that preserve or improve the balance among regulatory, environmental, and economic impacts.

Photo Credit: Sun Journal

Key Findings

Section 2, Analysis of Regulatory Impacts

We found that the regulatory framework for the protection of Lake Auburn as a water supply can be revised to be more clearly defined, better aligned with the best available science and State and regional norms, and more fairly applied across different land uses and activities. Specific recommendations are described in depth in Section 2, and direct ordinance language revisions are provided in a separate document to the City. A summary of our recommended revisions is outlined below:

- Revise the septic system requirements of the Lake Auburn Watershed Overlay District Ordinance to incorporate the Maine Subsurface Wastewater Disposal Rules, including provisions that allow for mounded leach fields and other State-approved alternative designs where there is not a native, in-situ, 36-inch vertical separation between the bottom of the organic horizon and the bedrock, water table, or other restrictive layer. Refer to Appendix 1.
- Revise the Phosphorus Control Ordinance to clarify that the limit of a project area does not apply to a given land use but to a demarcated limit of disturbance, such that all disturbance within that area is required to meet the erosion and sedimentation controls and other phosphorus controls under a plan required by the Phosphorus Control Ordinance.
- Require timber harvest and agricultural activities to meet the same requirements as other land uses under the Phosphorus Control Ordinance. Currently, timber management and harvesting must be conducted in accordance with a forest management plan prepared and supervised by a registered forester, while agriculture must be conducted in accordance with a soil and water conservation plan approved by the ACSWCD, making these uses effectively exempt from City oversight. Removing the exemption and requiring timber and agriculture to meet the same erosion control standards under the Phosphorus Control Ordinance would ensure that water quality protection is a central feature of any timber harvesting or agricultural activities in the Lake Auburn watershed.
- Develop a clear set of standards for farm management that will be consistently applied to farms in the watershed for the purpose of controlling erosion and limiting the delivery of excess phosphorus from the farm practices to Lake Auburn. One approach is to set a concrete limit on the amount of agricultural activities that are phosphorus-intensive (e.g., commercial raising of livestock, fertilized row crops, manure spreading). It is important to note that water quality is predicted to be much worse across all future scenarios if agricultural land use does not decline as predicted.
- Adjust the agricultural buffer strip requirement in the Lake Auburn Watershed Overlay District Ordinance to improve its effectiveness. Recommended adjustments include widening the buffer to 75 or 100 feet, requiring the buffer to be vegetated, and requiring the buffer to be located downgradient of all agricultural activities, perpendicular to the direction of overland flow, in all areas of the watershed (as opposed to requiring buffers only for agricultural activities that are adjacent to surface water).
- Update the Lake Auburn Watershed Overlay District Ordinance to reflect the revised watershed boundary, reducing the existing watershed boundary by 148 acres in the Gracelawn Road area.
- Incorporate low impact development requirements for single family residential development on the 1- and 3-acre lots allowed in the Lake Auburn watershed by way of referencing the Maine Stormwater Management Design Manual, Volume 2. The use of low impact development can help to limit the impacts of stormwater runoff and associated erosion and pollutants from sites. The standards as they apply to a water supply watershed are presented below:
  - » Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, and grading).
  - » A minimum natural vegetated buffer must be maintained downgradient of all developed areas on the lot. This buffer shall be 50 feet wide if naturally forested or 75 feet wide if maintained as a natural meadow.
  - » No more than 7,500 square feet of impervious cover is located on the property.
  - » A minimum of 40 percent of the lot area must be maintained as an undisturbed natural area. If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.

Section 3, Analysis of Environmental Impacts

We found that Lake Auburn water quality in the last decade had reached a tipping point, whereby nuisance algae blooms were becoming more frequent and were threatening the filtration waiver. The partial alum treatment conducted in 2019 significantly reduced the

in-column total phosphorus concentration and locked in a portion of the sediment-bound phosphorus, effectively resetting the system and giving the water districts additional time to ramp up watershed protection and nutrient reduction efforts. We also found that projecting current status quo conditions into the future (i.e., the "Business As Usual" scenario) resulted in Lake Auburn once again reaching a tipping point by 2100, even with the assumption that the in-column total phosphorus concentration and sediment-bound phosphorus would be repeatedly reset by an alum treatment every 10 years (see discussion in Section 2 about this assumption for further context). Modeled predictions for the other future scenarios where the regulatory framework is adjusted to allow more development in the Auburn portion of the watershed results in greater water quality degradation and a higher risk of blooms, ultimately triggering the need for a filtration plant in the "Maximum Development Allowing Building on LAWPC Lands" scenario. The use of low impact development techniques has a small positive effect on water quality in these future scenarios but does not ameliorate the high risk of frequent algae blooms. Taken together, the future scenarios show that Auburn alone does not have the land use control tools to stave off water quality decline in Lake Auburn; sustained collaboration with the upper watershed municipalities is essential to achieve the needed phosphorus load reductions over the remainder of the 21st century.

Section 4, Analysis of Economic Impacts

We found that expanding development in the Lake Auburn watershed provided minimal overall net economic benefit when accounting for the benefits and costs of all affected stakeholders, including the City of Lewiston who would otherwise carry the additional costs of watershed protection and water treatment through the existing cost sharing agreement in order for the City of Auburn to benefit from increased property tax revenues. In other words, the increased net benefits to the City of Auburn would be mostly or entirely offset by increased net costs to AWD and LWD customers, resulting in negligible net economic benefit to the communities served by Lake Auburn. This reallocation of benefits and costs among all affected stakeholders for the future scenarios highlights important questions of equity and fairness, which were raised during the process of producing this report and conversing with key community representatives. We emphasize that the costs associated with addressing declining water quality are costs to all water users and that the risk of incurred costs that are higher than our conservative estimates is very real.

Synthesis & Discussion

In summary, our analyses determined that Lake Auburn is nearing its assimilative capacity for nutrient load (even with the partial alum treatment) and cannot handle much more additional nutrient load without diminishing water quality and its associated benefits. We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed. Instead, we recommend that low impact development strategies are incorporated into existing zoning standards and required for all future development and redevelopment projects in the Auburn portion of the watershed. We also recommend that the other four headwater towns of Turner, Minot, Hebron, and Buckfield also incorporate low impact development requirements on future development projects. Lake Auburn cannot maintain excellent water quality in the future without the full participation of the other watershed towns. More development cannot be allowed in the Auburn portion of the watershed even with low impact development requirements implemented in Auburn. Even if reduced development through conservation or other means is achieved in the headwater towns, any additional development in Auburn has an outsized negative impact since its drainage area goes directly to the lake. It is also important to understand that a filtration plant does not allow for greater development of the watershed because the filtration plant only treats extracted drinking water for the consumer and does not treat in-lake water quality for recreation and for meeting State criteria for designated uses.

> We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed.

Below, we present further discussion on three important topics: regulation of septic systems, environmental risk and uncertainty, and comparable water utilities.

Regulation of septic systems: The regulatory and environmental analyses examined multiple issues surrounding septic systems and their contributions of phosphorus to Lake Auburn. At first glance, there may appear to be a contradiction between 1) the recommended ordinance revision from the regulatory analysis (Section 2) that the septic design standard should be revised in such a way that will allow previously non-buildable sites to become buildable and 2) the conclusion from the environmental analysis (Section 3) that Lake Auburn will arrive at a tipping point of declining water quality by 2100 even in the absence of any pro-development changes (i.e.,

the "Business As Usual" scenario). Indeed, our buildout analysis determined that more than 100 additional new homes could be built in the watershed if the septic system siting requirement for 36 inches of suitable in-situ soil were revised.

To address this apparent contradiction, we argue that the septic design standard should be judged not only by its adherence to the best available science but by its simplicity, straightforwardness, and fairness. The key questions are: does the existing septic design standard accomplish its stated purpose of regulating septic systems effectively for water quality protection, or is its water quality benefit primarily in its de facto restriction of buildable areas in the watershed? Are there improvements that could be made to achieve the stated goal? With our recommended revision, we aim to have the septic design standard achieve its stated purpose of effectively regulating both new septic system construction and replacement/reconstruction of existing septic systems as they age out, so that septic systems with alternative technologies and innovative phosphorus controls can be phased in. Restrictions on developable land are better left to base and resource protection zoning than to septic design standards.

The project team also noted in conversations with multiple Lake Auburn stakeholders a concern about an unintended consequence of the requirement in the current ordinance for 36 inches of suitable in-situ soil to site a septic system. The concern is that this requirement for deep, native soils has led to the preferential siting of some septic systems on deep formations of sand and gravel aquifer, which provide some of the only suitable sites in the watershed with the requisite depth to bedrock, water table, or other restrictive layer. While our team did not conduct any field assessments, witness this condition firsthand, or review any documentation of this condition, we agree with the premise that these sand and gravel formations should not be considered suitable sites for septic systems, at least without the importation of suitable reactive soils for nutrient and pathogen processing that the recommended ordinance revisions would allow. Adopting the Maine State standards while preserving the minimum 36-inch vertical separation would alleviate the potential for this unintended consequence.

Environmental risk and uncertainty: The risk of deteriorating water quality threatening Lake Auburn's ability to remain a high quality public drinking water supply is a throughline of this entire study. In its simplest terms, risk is the probability of a negative outcome, though the severity of the negative outcome in question is usually included when evaluating that risk. A high risk of a minor inconvenience (e.g., the risk of getting caught in traffic if leaving downtown Boston by car at 5:00 PM on a business day) requires minimal forethought, while a low risk of major damage (e.g., the risk of a flood destroying private or public infrastructure from a hurricane or Nor'easter) requires extensive planning and preparation. Uncertainty is the degree to which the risk cannot be quantified, due to a number of factors, such as insufficient data about existing conditions, insufficient predictive models for the future, and inherent randomness in nature. It is difficult but possible to predict with reasonably low uncertainty the risk of an outcome that has occurred before (e.g., an algae bloom in Lake Auburn). It gets much more difficult to predict the risk of a particular outcome (e.g., a filtration waiver violation in Lake Auburn) if that outcome has never occurred before, because the data and predictive models have not been tested against that outcome in the real world. In this situation, the uncertainty surrounding such an outcome remains relatively high even with excellent data and predictive models.

This study examined Lake Auburn's risk of negative water quality outcomes now and in the future under various scenarios, though with considerable uncertainty due to a number of confounding or unknown factors. However, we can say with certainty that all additional development raises the risk of water quality degradation, whether due to phosphorus loading, pathogens from subsurface wastewater disposal, emerging contaminants such as pharmaceuticals and personal care products, etc. Even if the increased risk resulting from any individual parcel-scale decision is small, the aggregate impact of thousands of individual decisions over the coming decades is what matters.

From a risk management perspective, the entire spectrum of outcomes should at least be understood, including the least probable, most negative outcome (i.e., the worst-case scenario). The worst-case scenario would be that Lake Auburn's water quality would deteriorate past the point of useful public drinking water supply. Phosphorus enrichment to the point of having uncontrolled algae blooms every year, with cyanobacteria and associated cyanotoxins, would be the most likely condition of such a worst-case scenario. If this unlikely but highly undesirable scenario were to occur, Auburn and Lewiston would be forced to consider other alternatives that previously would not have been seriously deliberated, such as drawing upon the Androscoggin River for drinking water. The cost of this worst-case scenario was not evaluated in our economic analysis because our environmental models do not predict conditions to deteriorate to that degree under the chosen scenarios. But in managing environmental risk, this unlikely but highly undesirable outcome should be included in the overall picture of Lake Auburn's possible future.

Comparable water utilities: Comparison of Lake Auburn and LAWPC/AWD/LWD with other water sources and utilities is illustrative of their strengths, weaknesses, and projected future needs (Table 5-1). Lake Auburn's key

Table 5-1. Lake Auburn and comparable water supply lakes and ponds in Maine.

Waterbody	Water Utility	Waterbody Surface Area (acres)	Watershed Area (acres)	Communities Served	Watershed Communities	Filtration Waiver?
Lake Auburn	Auburn Water District	2,277	9,651	Auburn, Lewiston, Poland	Auburn, Turner, Minot, Hebron, Buckfield	Yes
China Lake	Kennebec Water District	29,992	234,000	Waterville, Winslow, Fairfield, Benton, Vassalboro, Maine Water Company - Oakland	Vassalboro, China, Albion	No
Sebago Lake	Portland Water District	635	4,600	Portland, South Portland, Westbrook, Falmouth, Cumberland, Cape Elizabeth, Gorham, Windham, Scarborough, Raymond	24 municipalities (Androscoggin, Cumberland, Oxford counties)	Yes
Floods Pond	Bangor Water	3,939	16,704	Bangor, Eddington, Hampden, Hermon, Orrington, Clifton, Veazie, Hampden Water District	Otis, Clifton	Yes

comparables are China Lake, which supplies the Kennebec Water District (KWD) serving Waterville and surrounding communities; Sebago Lake, supplying the Portland Water District (PWD); and Floods Pond, used by Bangor Water, an independent water utility, to serve Bangor and surrounding communities.

China Lake is nearly double the size of Lake Auburn, with a 3,939-acre lake surface and a nearly 17,000-acre watershed, but the lake divides into two basins nearly equal in size, the west basin and the east basin. The KWD has a water supply in-take located in the west basin, where the shoreline is mostly under KWD control and managed as water supply protection land. The east basin is nearly all under private ownership and has much more shoreline development. The China Lake Outlet Stream, the only outlet of the entire lake, is in the west basin at the dam in Vassalboro. Considered by itself, the west basin is very similar to Lake Auburn in terms of shoreline and watershed management - mostly forested, under public water utility control, with universal restrictions on swimming and bodily contact but with limited recreational fishing allowed. Like Lake Auburn, China Lake serves one community within the lake watershed (Vassalboro) and several communities outside its watershed (Waterville, Winslow, Fairfield, Benton, and the Maine Water Company in Oakland), while the upper watershed towns of China and Albion do not use KWD water.

The key difference between China Lake and Lake Auburn is that China Lake has experienced algae blooms nearly every summer since the 1980s. Blooms were more severe through the 1980s and 1990s, and since the early 2000s, there have been some trends of improvement, including coldwater fish species survival. Since 1993, KWD has filtered the drinking water supply using a granular activated carbon filtration system capable of producing up to 12 MGD, though current demand stands at 3 MGD. The plant was constructed in the early 1990s for a cost of roughly $25 million. According to KWD Superintendent Roger Crouse, P.E., if water quality were to decline significantly from its current stable state, such as increased algae blooms and turbidity, KWD would have to change their operations to handle the lower quality in-take water (R. Crouse, pers. comm). The carbon filters would need to be backwashed more frequently, and the additional backwash water would need to be accommodated somehow in the existing lagoons or else the lagoons would need to be expanded at significant cost. The alum dose used to pretreat the water before filtration would also need to be raised. The key takeaway is that decreased in-take water quality at a filtration plant taxes the system, raises the volume of the waste stream, and adds significant cost and complexity to the treatment process, meaning that water supply managers cannot forgo water quality protection efforts simply because a filtration system is in place.

Sebago Lake is the public drinking water supply source used by the PWD to supply Portland, South Portland, Westbrook, and surrounding Greater Portland communities - roughly one sixth of Maine's population. The lake is roughly 10 times the size of Lake Auburn, with a surface area of nearly 30,000 acres and a watershed area of 235,000 acres. Sebago is the deepest lake in New England at 316 feet at its deepest point. Like Lake Auburn, Sebago Lake qualifies for a filtration waiver owing to a history of excellent water quality. The existing disinfection plant has a production capacity of 54 MGD and currently experiences a demand of 22 MGD. With such a large water supply lake, the capacity of the plant will be exceeded long before any concern of safe yield from the lake arises.

Land use in the Sebago Lake watershed is largely composed of private forestlands. The PWD owns 2,500 acres (or about 1% of the watershed), with 800 acres of mostly shoreland designated as 'No Trespassing' and 1,700 acres of land designated as free for public access for many forms of recreation. Another 28,000 acres are owned or

managed by land trusts. The water supply in-take is at the far southern extent of the lake in the Lower Bay. A 3,000-foot 'No Trespassing' zone surrounds the in-take, and no bodily contact is allowed within two miles of the in-take. Boating, fishing, snowmobiling, and ice fishing are allowed within the 2-mile limit but not within the 3,000-foot limit. Overall, the restricted area is very similar in size and structure to that of Lake Auburn (with the exception that the on-ice activities are not allowed on Lake Auburn). Taking Sebago Lake as a whole, however, the major difference with Lake Auburn is that Sebago's Lower Bay comprises a small fraction of the overall lake, the rest of which has no special swimming or boating restrictions for water supply.

Sebago Lake and its watershed are located many miles away from the service areas of the PWD. This geographical separation means that the communities served by PWD have no ability to enact land use controls on the lakeshore or in the watershed, unlike the situation in Lake Auburn where the City of Auburn can use its zoning ordinances to enact protections for the shorefront and watershed. It is likely that this lack of control over Sebago Lake's upper watershed has spurred the PWD to focus on cooperation with land trusts and private forestland owners to conserve tracts of land. As an example, PWD Environmental Services Manager Paul Hunt told the project team that the PWD is part of a partnership, Sebago Clean Waters, that seeks to raise the total amount of land conserved (and managed at least partly for water supply protection) from the current 12% of the watershed to 25% in the next 15 years (P. Hunt, pers. comm).

In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Floods Pond in Otis, Maine has been the public water supply source for Bangor Water, the independent water district that serves Bangor and surrounding communities since 1959. At 635 acres of surface area, surrounded by a 4,600-acre watershed in Otis and neighboring Clifton, Floods Pond is less than half the size of Lake Auburn. Maximum depth is similar at 133 feet. Like Lake Auburn, Floods Pond also qualifies for a filtration waiver owing to its historically excellent water quality.

Land use in the Floods Pond watershed is largely controlled by Bangor Water, which owns or holds landowner agreements to manage 4,500 acres or more than 99% of the watershed land area. There is no public access to Floods Pond, which is home to a native population of Arctic char (Salvelinus alpinus), a coldwater fish species closely related to both salmon and lake trout that has been used by the Maine Department of Inland Fisheries and Wildlife to establish coldwater fish populations in other Maine lakes. Fishing, boating, and swimming are prohibited, as are hiking, wildlife viewing, and hunting in posted areas that include the entire shoreline.

The geography of Floods Pond as a water supply resembles China Lake more than Lake Auburn. The vast majority of Bangor Water customers are in downstream communities (Bangor, Eddington, Hampden, Hermon, and Orrington), while the protected shoreline and watershed areas are in upstream communities that do not use the water. (A small portion of Clifton is served by Bangor Water.) Bangor Water controls nearly all the Floods Pond watershed in Otis and Clifton, 4,500 acres total and more than LAWPC controls in the Lake Auburn watershed. Recreational activities are also much more restricted at Floods Pond than at Lake Auburn. Floods Pond provides a useful comparison point at the more restrictive end of the spectrum that puts the lost tax revenues and recreational opportunities at Lake Auburn in perspective.

To summarize, these comparisons with other water supply lakes demonstrate that the protections surrounding Lake Auburn do not exceed those of China Lake, Sebago Lake, or Floods Pond. The restrictions on recreational opportunities at Lake Auburn are similar to those at other drinking water supplies, including filtered and unfiltered water sources. Similarly, land use restrictions within the Lake Auburn watershed are far from the most prohibitive among the examples discussed, with only 20% of the watershed held or managed as water supply land compared to 99% of the Floods Pond watershed. In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Holistic Recommendations

1. We recommend that the City of Auburn not seek to ease the current resource protection zoning or

consider rezoning portions of the watershed for increased density (e.g., village node-style development). Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed, preferably areas already served by sanitary sewer (for the benefit of nearby water resources such as the Androscoggin River). This recommendation is based on two key findings of this study that are fully elaborated in Section 3:

- Lake Auburn and its watershed are already at or near the key environmental thresholds of 10 parts per billion annual average total phosphorus and 75% forested watershed land cover; and
- The future scenario models showed that easing restrictions on further development in the Lake Auburn watershed would set the lake on a path toward deteriorating water quality, regardless of the beneficial effects of requiring low impact development techniques and without obvious management strategies to combat further declines in water quality.

2. We recommend that the Planning Board and City Council take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. If not acceptable in their current form, the recommended revisions should be reworked and made more practicable but not watered down or fundamentally changed in their intent or effect. These recommended changes represent a move toward simpler, more transparent, more evenly applied regulations that are based on the best available science. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. We recommend that the City of Auburn share the findings of Section 4, Analysis of Economic Impacts, with all partners and stakeholders so that the accounting of aggregate economic impacts of the existing conditions and various future scenarios are used as the basis for an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward. This recommendation is based on the key finding that any net benefits to the City or Auburn residents and taxpayers from expanded residential development in the Lake Auburn watershed would be counterbalanced by additional costs to Lewiston and its residents and taxpayers, in the form of increased costs associated with mitigating declining water quality and decreased benefits from recreation. These findings are fully elaborated by Section 4 of this report. As a next step in this planning process, we recommend that a scenario be modeled and run through a benefit cost analysis that meets the target water quality goal for Lake Auburn, which was not possible in the future scenarios modeled in this study when considering Auburn-only changes to regulations and management approaches. Developing a scenario that meets the water quality goal may require several iterations. The scenario should likely expand the existing Lake Auburn Watershed Overlay District to the upper watershed towns, require implementation of low impact development techniques on new development watershed-wide, and account for septic design standard changes.

4. We recommend that the City of Auburn, City of Lewiston LWD, AWD, and LAWPC fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed (Turner, Minot, Hebron, and Buckfield) to control development and limit phosphorus loading. Historically, LAWPC has been an active player in fostering collaborative action between the local governments, with representation from the upper watershed towns. This recommendation is based on the key finding from this study that Auburn alone cannot accomplish sufficient phosphorus load reductions to prevent deteriorating water quality in Lake Auburn, but will require active participation from the upper watershed towns. This finding is fully elaborated in Section 3.

5. We recommend completing a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both AWD and Bates College in the Lake Auburn watershed. Identify gaps based on weaknesses and assumptions for the model. From the review and gap analysis, devise a robust long-term water quality monitoring plan and annual cost estimate for Lake Auburn. We also recommend that 1) the AWD hire a full-time, dedicated data management technician for improved management, access, and analysis of collected water quality data; 2) the AWD and LWD continue collaboration with Bates College on student-assisted monitoring; and 3) LAWPC consider creating a technical science advisory board to establish or maintain key local, State, and regional partnerships that can help to provide regular review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the in-take should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. We recommend that the LAWPC coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. We recommend developing a comprehensive natural resource management plan for LAWPC lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection if in the interest of public water supply protection, with multiple management options offered. We also recommend developing natural resource inventories for all LAWPC lands to map critical streams (perennial and intermittent), wetlands, vernal pools, cover types, rare, threatened, and endangered species present, etc. to include in individual natural resource management plans that set management objectives and methods to achieve water resource and wildlife habitat protection for each LAWPC parcel. If timber harvesting continues in the Lake Auburn watershed on LAWPC or private lands, then we recommend a series of actions to minimize forestry impacts to water quality. Refer to Forest Management in Section 3.

10. We recommend that LAWPC work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that LAWPC consider putting all their properties into permanent conservation. These properties are currently protected under the LAWPC by-laws but provide no higher-level legal protection from future development if said by-laws were to be revoked.

Photo Credit: Sun Journal

Town of Turner Regulations that are Helpful to LAWPC

1. **Erosion and Sedimentation Control Policy**:
    a. Activities that disturb soil and require a permit need an E&S plan.
2. **Zoning Ordinance**:
    a. Districts-
        i. Rural I District
            1. Purpose is to maintain rural character including agricultural and forest lands.
            2. Medium density allowed.
        ii. Rural II District
            1. Purpose is preserve areas not well suited for development.
            2. Includes 'critical watersheds'.
            3. Development at low densities- 5 acre min. lot size.
        iii. Shoreland District
            1. Allows residential use while protecting water quality.
        iv. Resource Protection District
            1. Purpose is to regulate development which would adversely affect water quality, etc.
        v. Many potential uses in these districts require a Site Plan Review by the Planning Board, which includes a review of potential impacts to water quality.
    b. Performance Standards-
        i. Soils
            1. Land uses must not cause severe erosion, mass soil movement, or water pollution.
            2. Soils report required for subsurface wastewater disposal
        ii. Water Quality
            1. No discharge of any pollutant to waters of the State is permitted
        iii. Septic Waste Disposal
            1. Before a building permit is issued, a soil suitability report required.
        iv. Shoreland Areas
            1. 100' setback from high-water line of ponds; 75' setback from wetlands
            2. New construction must minimize stormwater runoff from site
            3. Agriculture limitations- manure stockpiles, tilling, etc.
            4. Vegetation removal limitations
        v. Individual Lot Phosphorus Management
            1. Purpose of these standards to maintain water quality of lakes and ponds in Turner and those it shares with adjacent communities by controlling the transport of phosphorus from their direct watersheds.
            2. Phosphorus Management Control Permit required for development activities within the direct watershed of a lake or pond.
3. **Comprehensive Plan Update Section I (2020)**:
    a. Planning Area: Natural Resources-

i. Turner's goal: to maintain the high quality of its own natural resources and those it shares, or to improve the quality if they have been diminished.
ii. Section notes that development can create higher concentrations of phosphorus, a detriment to water quality. Acknowledges part of Lake Auburn watershed is in Turner and that Little Wilson Pond crosses town borders into Auburn.

b. Planning Area: Regional Coordination-
i. Turner's goal: to develop and participate in regional programs to achieve common desires.
ii. Includes Lake Auburn watershed and that portion of the watershed contained in Turner
iii. As part of the *Regional Coordination Policy*, Turner will:
1. Continue to participate in the *Lake Auburn Watershed Protection Commission* by having a Turner representative on the board.
2. Develop with appropriate communities an acceptable lake protection level for phosphorus concentration for Little Wilson Pond.
3. Regulate development within the Lake Auburn watershed to comply with assigned lake protection levels.
4. Seek professional assistance in determining appropriate lake protections levels and ordinance provisions. This is a Planning Board responsibility.

4. **Comprehensive Plan Update Section II (2020)**:
a. Natural Resources-
i. Acknowledges Lake Auburn is an important cold water fishery and the drinking water supply for Lewiston and Auburn.
ii. Includes phosphorus data for Mud Pond, Little Wilson Pond, The Basin, and Lake Auburn.

Town of Turner Watershed Projects Recommended in Prior Studies

Diagnostic Study of Lake Auburn and its Watershed: Phase 1 (2013):

1. Skillings Corner Road: Culvert near intersection with Fern Street and Wilson Hill Road- remove sediment accumulation and stabilize bank. Evaluate size and effectiveness of culvert to minimize overtopping of road.
2. Robinson Road: Roadside stabilization, riprap to slow water velocity
3. Little Wilson Pond Road: install shoreline stabilization and sediment BMPs along the road
4. East Hebron Road: Armor roadside along channel.

Diagnostic Study of Lake Auburn and its Watershed: Phase 2 (2014):

1. Monitor sediment accumulation in The Basin and upstream ponds at the beginning and end of each sampling season.

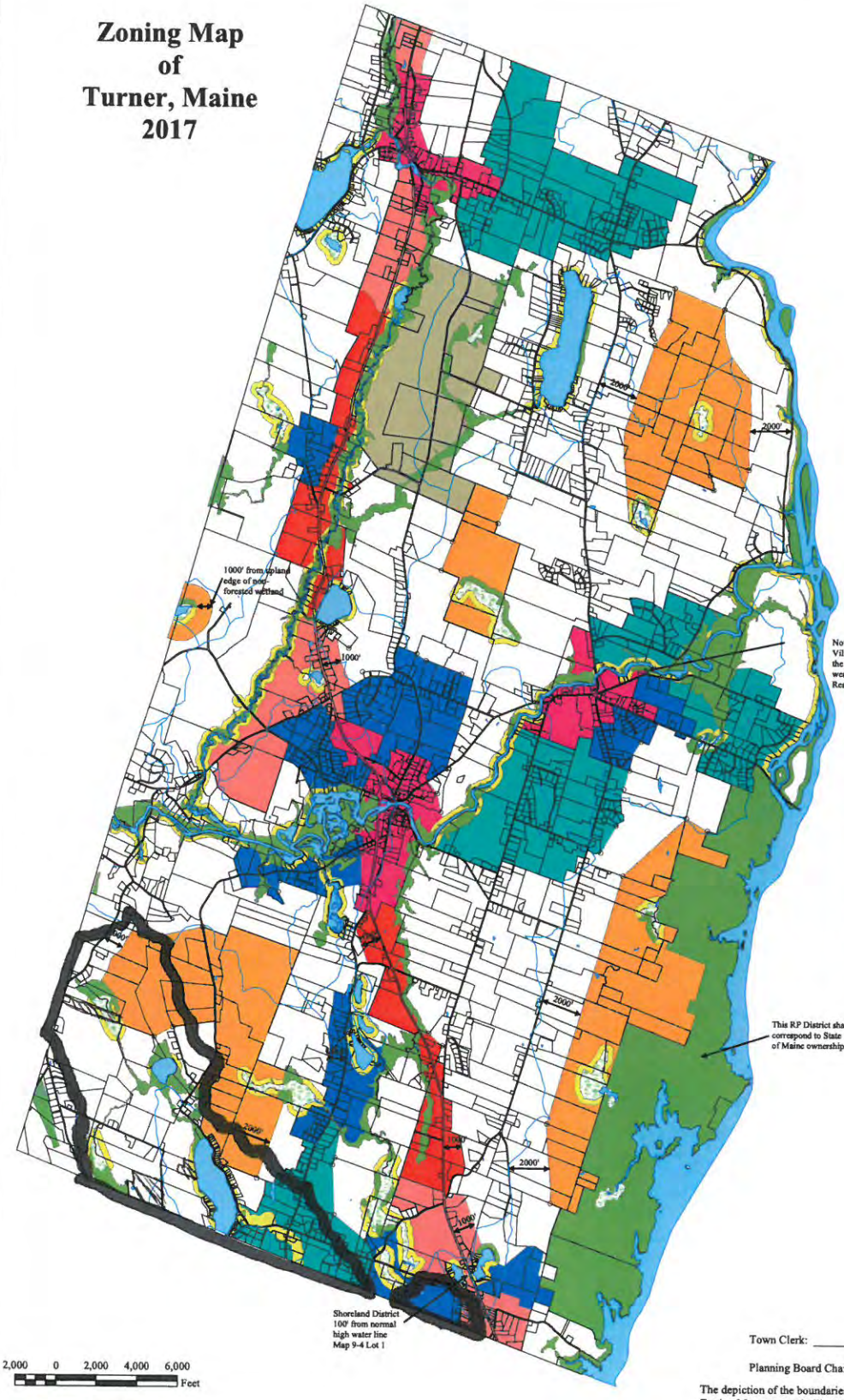
The Origins and Dynamics of Phosphorus in Maine's Lake Auburn Watershed (2020):

1. Ground-truth the loading hotspots identified by the Soil and Water Assessment Tool (SWAT). Look for signs of runoff and/or erosion-induced loading. Implement intervention strategies as needed.
2. Continue to increase watershed sampling. This could involve conducting in-lake sampling in the Basin, *Little Wilson Pond, and Mud Pond*. Focus particular attention on the Basin, *Little Wilson Pond, and Mud Pond*.
3. Investigate potentially high loading around Mud Pond. Consider conducting sampling in and around Mud Pond, then explore mitigation measures.
4. Pursue mitigation strategies for any AWD/LWD sampling location with P concentrations over 20 ug/L.

Completed Projects (2015-2017 EPA Grant):

1. Culvert upsized on Little Wilson Pond Road
2. Culvert upsized on Gurschick Road
3. Little Wilson Pond waterfront property owners installed stormwater BMPs

Zoning Map of Turner, Maine 2017



Note:
Village Zoning District boundary description from the easterly line of Map 56 Lot 47 then westerly to the westerly line of Map 56 Lot 43 then northerly to the Resource Protection District

Zone
- Rural I
- Rural II
- Resource Protection
- Shoreland
- Village
- General Residential I
- General Residential II
- Commercial I
- Commercial II
- Agricultural/Industrial
- Wetland

This RP District shall correspond to State of Maine ownership

Effective Date: July 12, 1993
Amended: June 11, 1994
April 13, 1996
July 21, 1997
April 10, 1999
April 8, 2000
April 5, 2003
April 3, 2004
April 8, 2006
April 5, 2008
April 4, 2009
April 10, 2010
April 2, 2011
April 14, 2012
April 9, 2016
April 8, 2017

2,000 0 2,000 4,000 6,000 Feet

AVCOG
WESTERN MAINE
Androscoggin Valley Council of Governments

Map Prepared
April 14, 2017
JAM

Document Path: \\AVCOG-SERVER2\Shared\jmaloney\Turner\Ordinances\Turner_Zoning_Map2017.mxd

Town Clerk: _____

Planning Board Chair: _____

The depiction of the boundaries of the Shoreland Areas on this the Official Zoning Map are merely illustrative of their general location. The exact boundaries of the zone shall be determined by on-site inspection and measurement from the normal high-water line or upland edge of a wetland.

The exact boundaries of the Resource Protection District designation due to 100-Year Floodplains shall be determined by the "Flood Insurance Study, Androscoggin County, Maine", dated July 8, 2013 with accompanying Flood Insurance Rate Map entitled "Digital Flood Insurance Rate Map, Androscoggin County, Maine".

LAWPC WATERSHED - TURNER

WATERSHED LANDS
- LAWPC LAND
- CONSERVATION EASEMENT
- LIFE ESTATE

NOT TO SCALE

N

LAKE AUBURN
WATERSHED BOUNDARY

MUD
POND

LITTLE
WILSON
POND

HEBRON

MINOT

AUBURN

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: January 3, 2022 **Order:** 05-01032022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Initiate the discussion of Zoning Considerations from 2021 Updated Comprehensive Plan

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Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. We do not have capacity to consider all the changes at once, but we plan an ambitious effort to have changes under consideration going forward. Below are four changes that staff suggests we start discussing by having the Council initiate their consideration pursuant to Chapter 60, Article XVII Division 2 of City Ordinances. Initiation of these discussions will direct staff to draft the amendments and forward them to the Planning Board for a public Hearing and recommendation back to the Council on how to proceed.

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a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended. (See attached a.)

Proposed Zone Change:

COMMERCIAL DEVELOPMENT DISTRICT (CDD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic. The district will allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses **–** The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services

- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052. (See attached b.)

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective – To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the city. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update. The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi dwelling development with up to three stories (plus attic space), with multiple

commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited, and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

c. <u>Court Street/City Core of Urban Residential Area;</u> 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas. (See attached c.)

<u>TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)</u>

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

City Budgetary Impacts: Up to $5,000 in approved Comprehensive Plan Implementation funds for State Geologist/Soil Scientist/Site Evaluator and mapping consultation. The changes will result in new investment and create new taxable value.

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

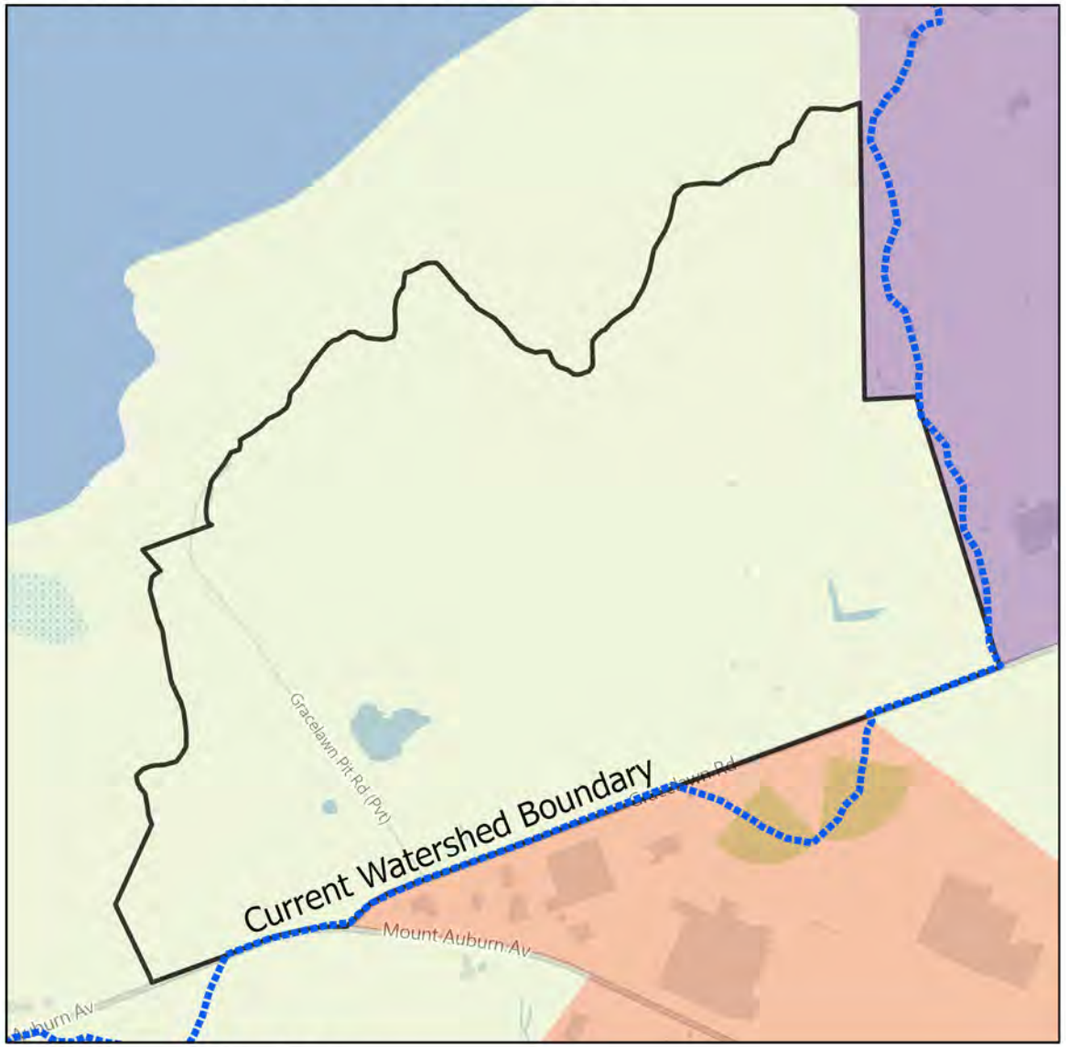
Previous Meetings and History: December 6th Council adoption.

City Manager Comments:

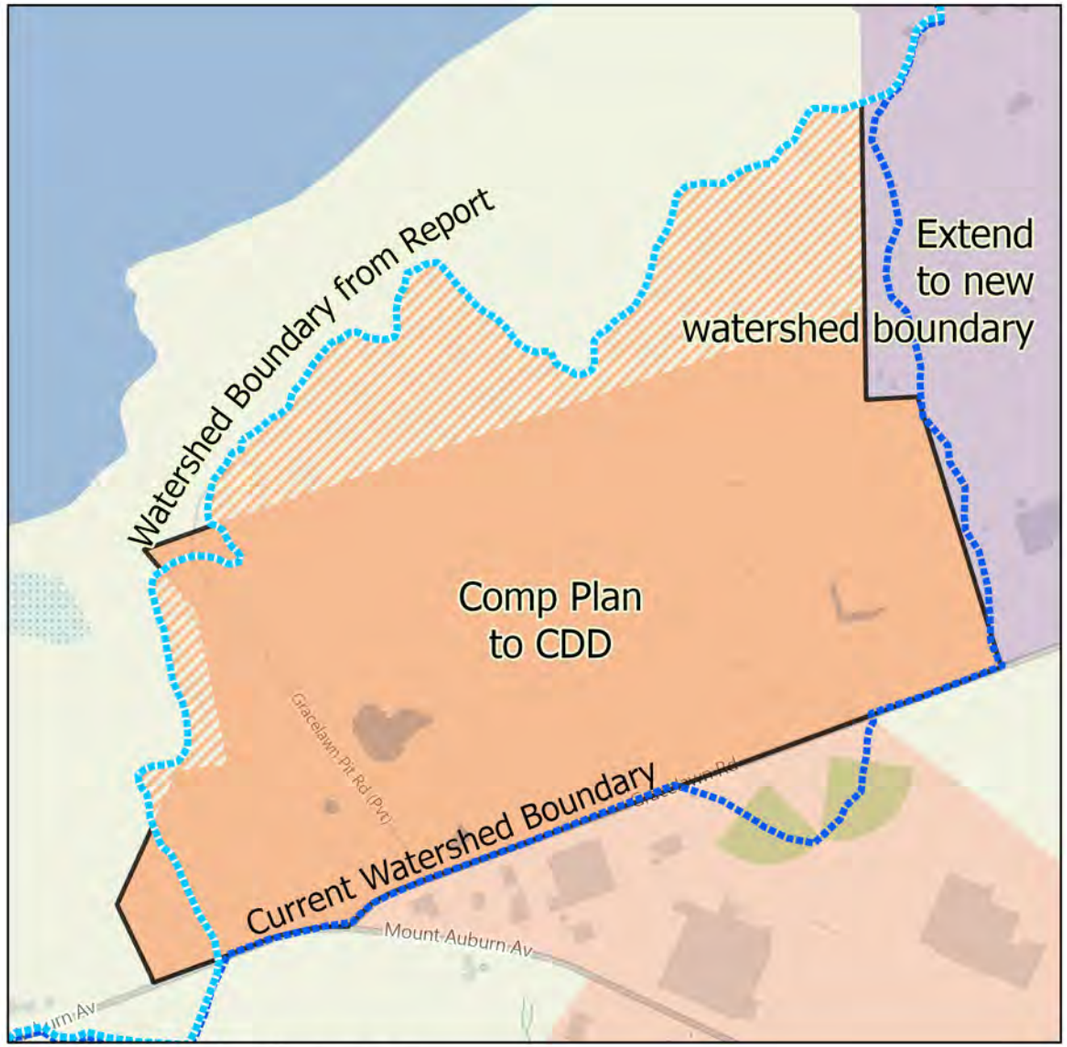
I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Lake Auburn Study Excerpts, full report here:
https://www.auburnmaine.gov/CMSContent/City_Manager/LakeAuburn_FinalReport%20UPDATED.pdf

Gracelawn: Exhibit A



Current Zoning



Proposed Change

Current Watershed Boundary
Watershed Boundary from Report

Recommended Zoning Updates
- Comp Plan to CDD
- Extend to new watershed boundary
- Change Area

Current Zoning
- AG - Agriculture and Resource Protection
- GB - General Business
- RR - Rural Residential
- SR - Suburban Residential

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3 Analysis of Environmental Impacts

This section analyzes the environmental impact of various development and water quality scenarios for the Lake Auburn watershed. The analysis uses a well-documented watershed model paired with in-lake empirical formulas to predict water quality outcomes under each future scenario. This section also reviews recreational threats and opportunities, current forestry practices, and LAWPC's land conservation strategy.

Photo Credit: Sun Journal

Water Quality Modeling

Boundary Change

Based on hydrogeologic studies (E.C. Jordan Co., 1990; Woodard & Curran, 1995; Summit Environmental Consultants, Inc., 2007) of the sand and gravel operations and former City of Auburn landfill along Gracelawn Road, a portion of the existing watershed area was determined to flow away from Lake Auburn in a southerly and easterly direction (Figure 3-1). Groundwater flow studies around the sand and gravel operations showed groundwater flowing south to an unnamed brook in a ravine just south of Mt. Auburn Avenue that flows to the Androscoggin River. Previous analyses of groundwater monitoring well data around the landfill showed low and diminishing levels of leachate indicators on the lakeside compared to increasing levels on the south side away from the lake. The combined properties with sand and gravel operations owned by CLH & Sons, Inc. and Get Er Done, LLC cover 115 acres in the southern portion of the Lake Auburn watershed and are bounded to the north by Lake Auburn and a LAWPC-owned parcel, to the east by a Central Maine Community College-owned parcel, to the south by Gracelawn Road, and to the west by a LAWPC-owned parcel. Based on review of the groundwater contours and 2-ft surface contours, the proposed watershed boundary reduces the watershed area by 148 acres, possibly reducing the original CEI, Inc. (2010) total phosphorus load to Lake Auburn by about 44 kg/yr.

Baseline Model Run

The baseline or "existing conditions" model run was performed using the revised version of the ArcView Generalized Watershed Loading Function (AVGWLF): MapWindow Version 4.6.602 and MapShed Version 1.5.1, available online through the Stroud Water Research Center's Wiki-Watershed. Following MapShed documentation, model files were prepared for input and processing to generate watershed nutrient loading estimates by sub-basin. These sub-basin nutrient loading estimates were run through a simplified version of the Lake Loading Response Model (LLRM) (AECOM, 2009) to account for sub-basin water and nutrient load attenuation, other water and/or nutrient sources such as atmospheric deposition, internal loading, and septic systems, and in-lake factors such as pan evaporation and annual withdrawal for drinking water. The net water and nutrient loads, along with calculated lake characteristics, were used in several well-known empirical formulas to estimate the in-lake total phosphorus concentration of Lake Auburn.

A summary of inputs and assumptions is provided below. Refer to supplemental model documentation for more detail (available through the City of Auburn).

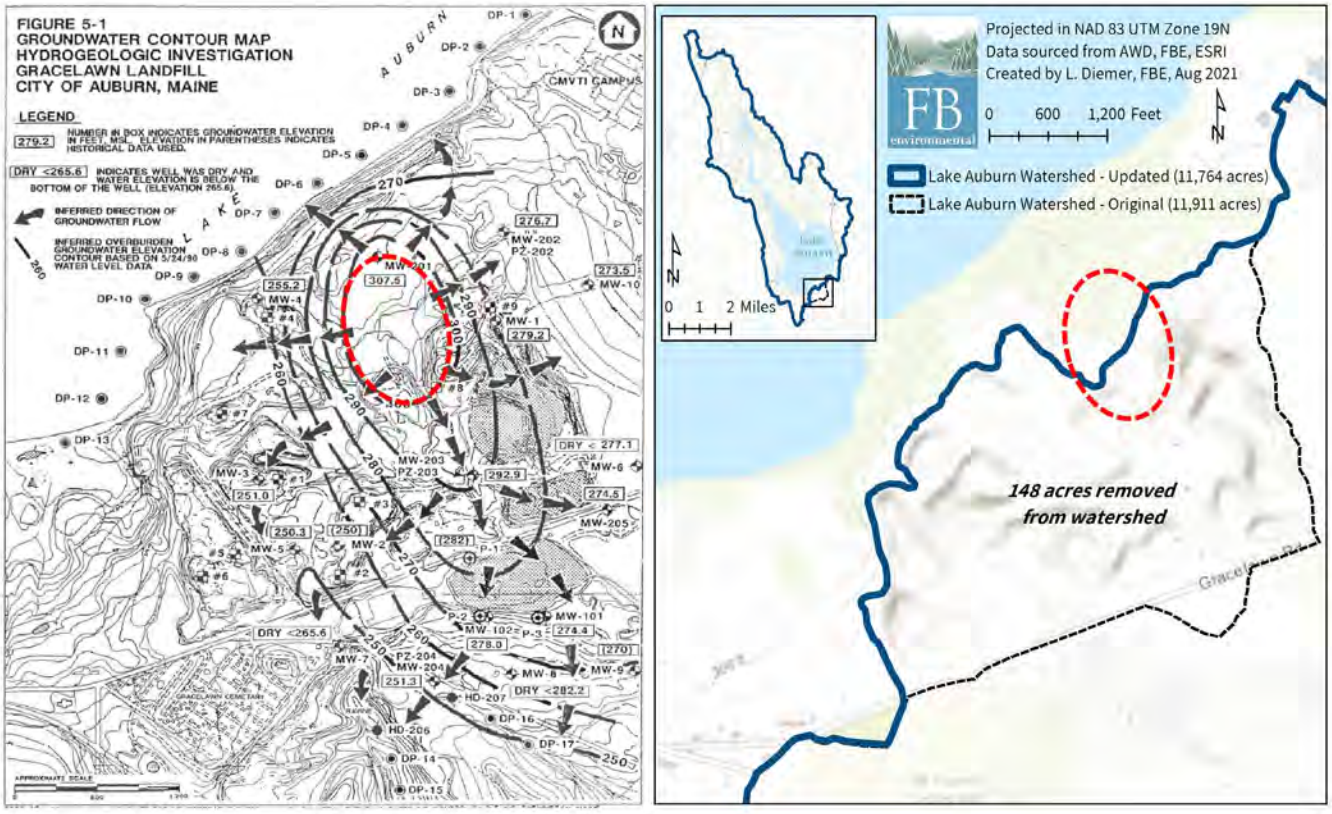
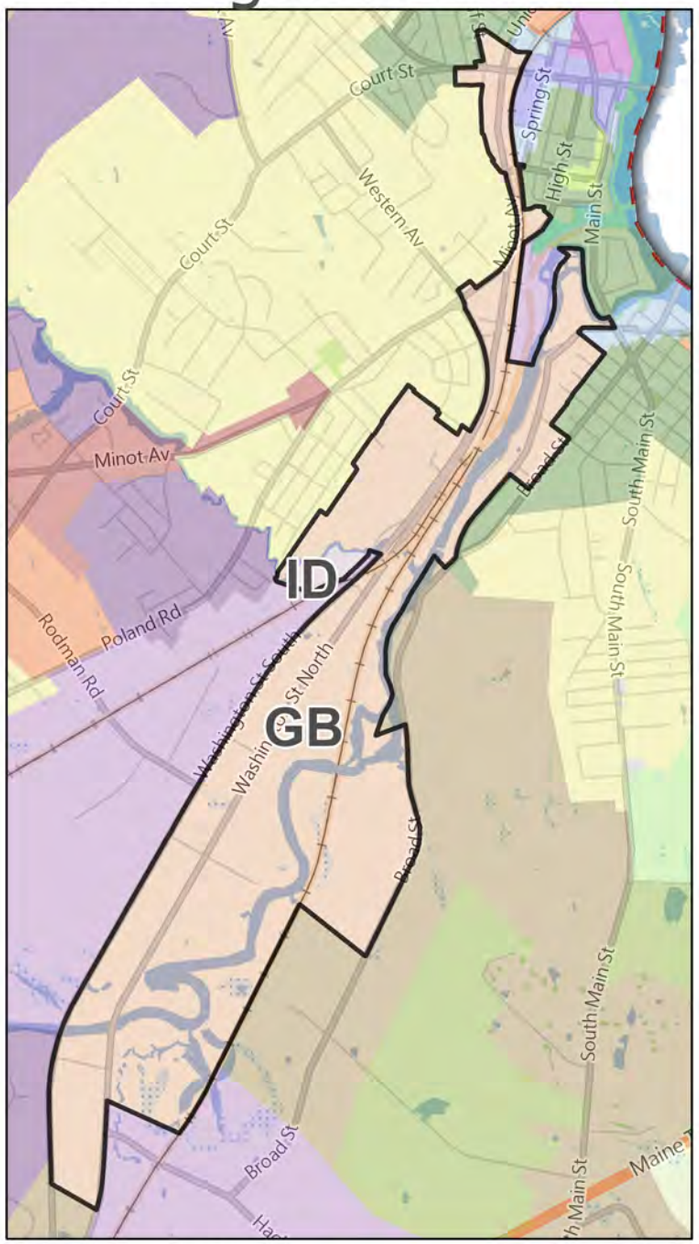


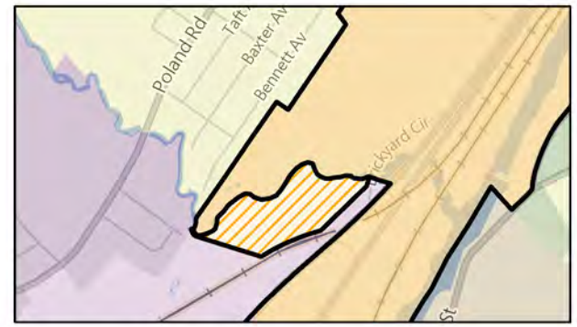
Figure 3-1. Map of groundwater contours developed by E.C. Jordan Co. (1990) (left) compared to map of updated watershed boundary (right). The dotted red circle is provided for ease of reference between the two maps.

Washington Street: Exhibit B



Current Zoning

Proposed Change



Add Parcel 199-052

Recommended Zoning Updates

- Comp Plan to CFBCGD-W
- Add Parcel 199-052

Current Zoning

- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LDCR - Low Density Country Residential
- MFS - Multi-Family Suburban
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

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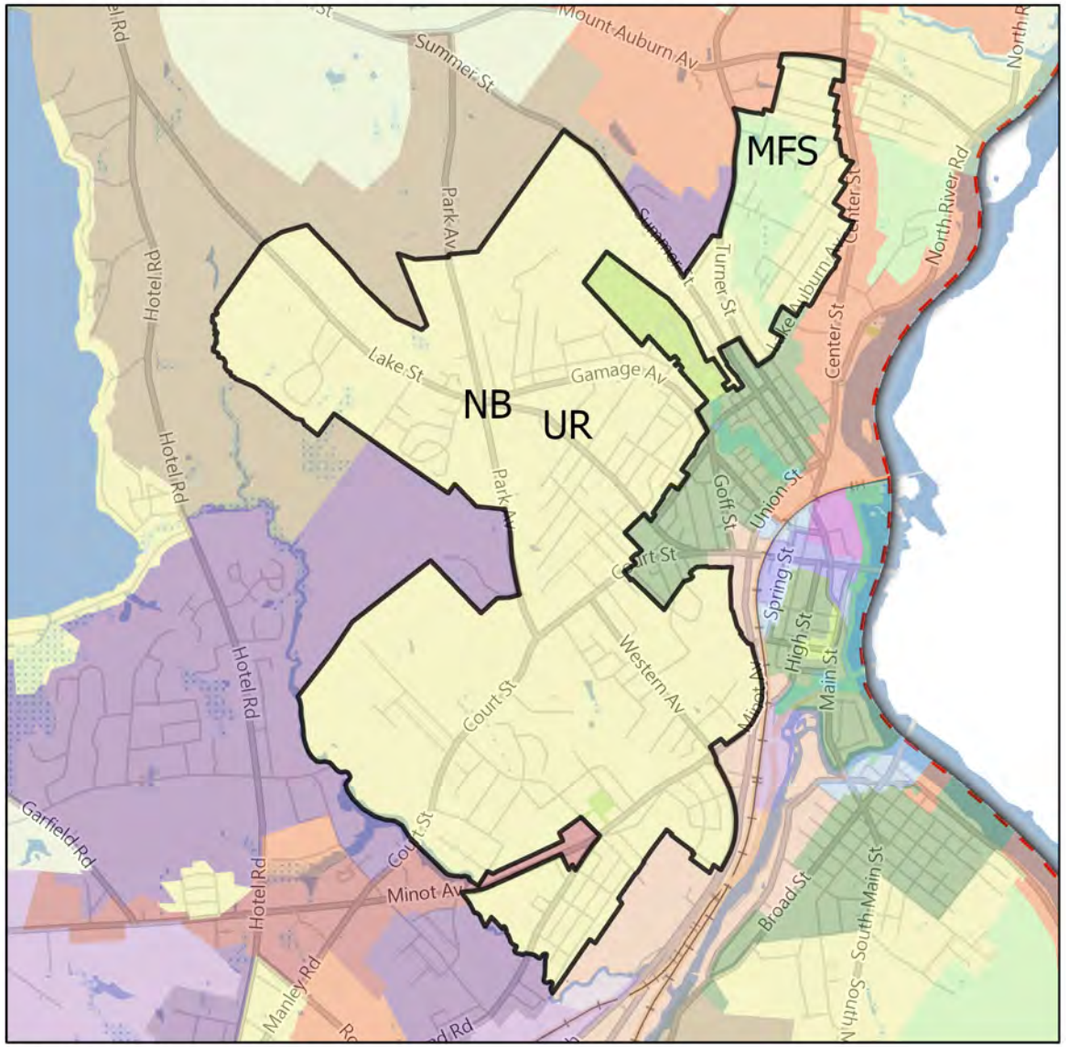
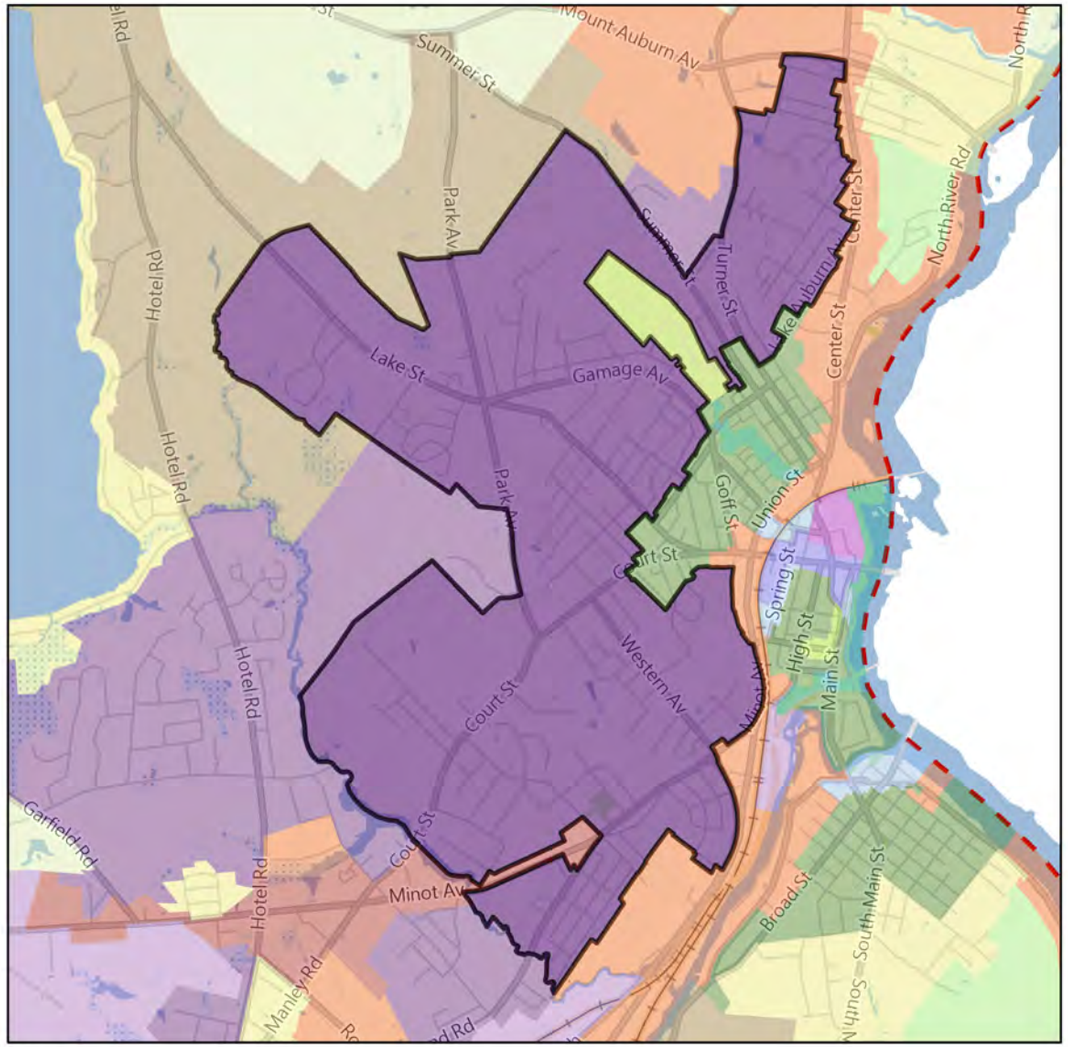
Court Street: Exhibit C



Current Zoning



Proposed Change

Recommended Zoning Updates

Description

- Comp Plan to TNDD
- <all other values>

Current Zoning

- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- MFS - Multi-Family Suburban
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

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5 Findings, Synthesis, & Holistic Recommendations

This section draws out key conclusions from the report's preceding Sections 2, 3, and 4 which contain our analyses of the regulatory, environmental, and economic impacts of Lake Auburn as a public drinking water supply. Synthesis and further discussion, along with consideration of examples from comparable water supplies, are also provided for several key conclusions that recur throughout the preceding sections. Lastly, this section puts forth holistic recommendations for the City of Auburn, as well as the broader community of stakeholders, with the aim of promoting water supply protection efforts and initiatives that preserve or improve the balance among regulatory, environmental, and economic impacts.

Photo Credit: Sun Journal

Key Findings

Section 2, Analysis of Regulatory Impacts

We found that the regulatory framework for the protection of Lake Auburn as a water supply can be revised to be more clearly defined, better aligned with the best available science and State and regional norms, and more fairly applied across different land uses and activities. Specific recommendations are described in depth in Section 2, and direct ordinance language revisions are provided in a separate document to the City. A summary of our recommended revisions is outlined below:

- Revise the septic system requirements of the Lake Auburn Watershed Overlay District Ordinance to incorporate the Maine Subsurface Wastewater Disposal Rules, including provisions that allow for mounded leach fields and other State-approved alternative designs where there is not a native, in-situ, 36-inch vertical separation between the bottom of the organic horizon and the bedrock, water table, or other restrictive layer. Refer to Appendix 1.
- Revise the Phosphorus Control Ordinance to clarify that the limit of a project area does not apply to a given land use but to a demarcated limit of disturbance, such that all disturbance within that area is required to meet the erosion and sedimentation controls and other phosphorus controls under a plan required by the Phosphorus Control Ordinance.
- Require timber harvest and agricultural activities to meet the same requirements as other land uses under the Phosphorus Control Ordinance. Currently, timber management and harvesting must be conducted in accordance with a forest management plan prepared and supervised by a registered forester, while agriculture must be conducted in accordance with a soil and water conservation plan approved by the ACSWCD, making these uses effectively exempt from City oversight. Removing the exemption and requiring timber and agriculture to meet the same erosion control standards under the Phosphorus Control Ordinance would ensure that water quality protection is a central feature of any timber harvesting or agricultural activities in the Lake Auburn watershed.
- Develop a clear set of standards for farm management that will be consistently applied to farms in the watershed for the purpose of controlling erosion and limiting the delivery of excess phosphorus from the farm practices to Lake Auburn. One approach is to set a concrete limit on the amount of agricultural activities that are phosphorus-intensive (e.g., commercial raising of livestock, fertilized row crops, manure spreading). It is important to note that water quality is predicted to be much worse across all future scenarios if agricultural land use does not decline as predicted.
- Adjust the agricultural buffer strip requirement in the Lake Auburn Watershed Overlay District Ordinance to improve its effectiveness. Recommended adjustments include widening the buffer to 75 or 100 feet, requiring the buffer to be vegetated, and requiring the buffer to be located downgradient of all agricultural activities, perpendicular to the direction of overland flow, in all areas of the watershed (as opposed to requiring buffers only for agricultural activities that are adjacent to surface water).
- Update the Lake Auburn Watershed Overlay District Ordinance to reflect the revised watershed boundary, reducing the existing watershed boundary by 148 acres in the Gracelawn Road area.
- Incorporate low impact development requirements for single family residential development on the 1- and 3-acre lots allowed in the Lake Auburn watershed by way of referencing the Maine Stormwater Management Design Manual, Volume 2. The use of low impact development can help to limit the impacts of stormwater runoff and associated erosion and pollutants from sites. The standards as they apply to a water supply watershed are presented below:
  - » Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, and grading).
  - » A minimum natural vegetated buffer must be maintained downgradient of all developed areas on the lot. This buffer shall be 50 feet wide if naturally forested or 75 feet wide if maintained as a natural meadow.
  - » No more than 7,500 square feet of impervious cover is located on the property.
  - » A minimum of 40 percent of the lot area must be maintained as an undisturbed natural area. If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.

Section 3, Analysis of Environmental Impacts

We found that Lake Auburn water quality in the last decade had reached a tipping point, whereby nuisance algae blooms were becoming more frequent and were threatening the filtration waiver. The partial alum treatment conducted in 2019 significantly reduced the

in-column total phosphorus concentration and locked in a portion of the sediment-bound phosphorus, effectively resetting the system and giving the water districts additional time to ramp up watershed protection and nutrient reduction efforts. We also found that projecting current status quo conditions into the future (i.e., the "Business As Usual" scenario) resulted in Lake Auburn once again reaching a tipping point by 2100, even with the assumption that the in-column total phosphorus concentration and sediment-bound phosphorus would be repeatedly reset by an alum treatment every 10 years (see discussion in Section 2 about this assumption for further context). Modeled predictions for the other future scenarios where the regulatory framework is adjusted to allow more development in the Auburn portion of the watershed results in greater water quality degradation and a higher risk of blooms, ultimately triggering the need for a filtration plant in the "Maximum Development Allowing Building on LAWPC Lands" scenario. The use of low impact development techniques has a small positive effect on water quality in these future scenarios but does not ameliorate the high risk of frequent algae blooms. Taken together, the future scenarios show that Auburn alone does not have the land use control tools to stave off water quality decline in Lake Auburn; sustained collaboration with the upper watershed municipalities is essential to achieve the needed phosphorus load reductions over the remainder of the 21st century.

Section 4, Analysis of Economic Impacts

We found that expanding development in the Lake Auburn watershed provided minimal overall net economic benefit when accounting for the benefits and costs of all affected stakeholders, including the City of Lewiston who would otherwise carry the additional costs of watershed protection and water treatment through the existing cost sharing agreement in order for the City of Auburn to benefit from increased property tax revenues. In other words, the increased net benefits to the City of Auburn would be mostly or entirely offset by increased net costs to AWD and LWD customers, resulting in negligible net economic benefit to the communities served by Lake Auburn. This reallocation of benefits and costs among all affected stakeholders for the future scenarios highlights important questions of equity and fairness, which were raised during the process of producing this report and conversing with key community representatives. We emphasize that the costs associated with addressing declining water quality are costs to all water users and that the risk of incurred costs that are higher than our conservative estimates is very real.

Synthesis & Discussion

In summary, our analyses determined that Lake Auburn is nearing its assimilative capacity for nutrient load (even with the partial alum treatment) and cannot handle much more additional nutrient load without diminishing water quality and its associated benefits. We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed. Instead, we recommend that low impact development strategies are incorporated into existing zoning standards and required for all future development and redevelopment projects in the Auburn portion of the watershed. We also recommend that the other four headwater towns of Turner, Minot, Hebron, and Buckfield also incorporate low impact development requirements on future development projects. Lake Auburn cannot maintain excellent water quality in the future without the full participation of the other watershed towns. More development cannot be allowed in the Auburn portion of the watershed even with low impact development requirements implemented in Auburn. Even if reduced development through conservation or other means is achieved in the headwater towns, any additional development in Auburn has an outsized negative impact since its drainage area goes directly to the lake. It is also important to understand that a filtration plant does not allow for greater development of the watershed because the filtration plant only treats extracted drinking water for the consumer and does not treat in-lake water quality for recreation and for meeting State criteria for designated uses.

> We found no net environmental, economic, or social benefit supporting expansion of development in the Lake Auburn watershed.

Below, we present further discussion on three important topics: regulation of septic systems, environmental risk and uncertainty, and comparable water utilities.

Regulation of septic systems: The regulatory and environmental analyses examined multiple issues surrounding septic systems and their contributions of phosphorus to Lake Auburn. At first glance, there may appear to be a contradiction between 1) the recommended ordinance revision from the regulatory analysis (Section 2) that the septic design standard should be revised in such a way that will allow previously non-buildable sites to become buildable and 2) the conclusion from the environmental analysis (Section 3) that Lake Auburn will arrive at a tipping point of declining water quality by 2100 even in the absence of any pro-development changes (i.e.,

the "Business As Usual" scenario). Indeed, our buildout analysis determined that more than 100 additional new homes could be built in the watershed if the septic system siting requirement for 36 inches of suitable in-situ soil were revised.

To address this apparent contradiction, we argue that the septic design standard should be judged not only by its adherence to the best available science but by its simplicity, straightforwardness, and fairness. The key questions are: does the existing septic design standard accomplish its stated purpose of regulating septic systems effectively for water quality protection, or is its water quality benefit primarily in its de facto restriction of buildable areas in the watershed? Are there improvements that could be made to achieve the stated goal? With our recommended revision, we aim to have the septic design standard achieve its stated purpose of effectively regulating both new septic system construction and replacement/reconstruction of existing septic systems as they age out, so that septic systems with alternative technologies and innovative phosphorus controls can be phased in. Restrictions on developable land are better left to base and resource protection zoning than to septic design standards.

The project team also noted in conversations with multiple Lake Auburn stakeholders a concern about an unintended consequence of the requirement in the current ordinance for 36 inches of suitable in-situ soil to site a septic system. The concern is that this requirement for deep, native soils has led to the preferential siting of some septic systems on deep formations of sand and gravel aquifer, which provide some of the only suitable sites in the watershed with the requisite depth to bedrock, water table, or other restrictive layer. While our team did not conduct any field assessments, witness this condition firsthand, or review any documentation of this condition, we agree with the premise that these sand and gravel formations should not be considered suitable sites for septic systems, at least without the importation of suitable reactive soils for nutrient and pathogen processing that the recommended ordinance revisions would allow. Adopting the Maine State standards while preserving the minimum 36-inch vertical separation would alleviate the potential for this unintended consequence.

Environmental risk and uncertainty: The risk of deteriorating water quality threatening Lake Auburn's ability to remain a high quality public drinking water supply is a throughline of this entire study. In its simplest terms, risk is the probability of a negative outcome, though the severity of the negative outcome in question is usually included when evaluating that risk. A high risk of a minor inconvenience (e.g., the risk of getting caught in traffic if leaving downtown Boston by car at 5:00 PM on a business day) requires minimal forethought, while a low risk of major damage (e.g., the risk of a flood destroying private or public infrastructure from a hurricane or Nor'easter) requires extensive planning and preparation. Uncertainty is the degree to which the risk cannot be quantified, due to a number of factors, such as insufficient data about existing conditions, insufficient predictive models for the future, and inherent randomness in nature. It is difficult but possible to predict with reasonably low uncertainty the risk of an outcome that has occurred before (e.g., an algae bloom in Lake Auburn). It gets much more difficult to predict the risk of a particular outcome (e.g., a filtration waiver violation in Lake Auburn) if that outcome has never occurred before, because the data and predictive models have not been tested against that outcome in the real world. In this situation, the uncertainty surrounding such an outcome remains relatively high even with excellent data and predictive models.

This study examined Lake Auburn's risk of negative water quality outcomes now and in the future under various scenarios, though with considerable uncertainty due to a number of confounding or unknown factors. However, we can say with certainty that all additional development raises the risk of water quality degradation, whether due to phosphorus loading, pathogens from subsurface wastewater disposal, emerging contaminants such as pharmaceuticals and personal care products, etc. Even if the increased risk resulting from any individual parcel-scale decision is small, the aggregate impact of thousands of individual decisions over the coming decades is what matters.

From a risk management perspective, the entire spectrum of outcomes should at least be understood, including the least probable, most negative outcome (i.e., the worst-case scenario). The worst-case scenario would be that Lake Auburn's water quality would deteriorate past the point of useful public drinking water supply. Phosphorus enrichment to the point of having uncontrolled algae blooms every year, with cyanobacteria and associated cyanotoxins, would be the most likely condition of such a worst-case scenario. If this unlikely but highly undesirable scenario were to occur, Auburn and Lewiston would be forced to consider other alternatives that previously would not have been seriously deliberated, such as drawing upon the Androscoggin River for drinking water. The cost of this worst-case scenario was not evaluated in our economic analysis because our environmental models do not predict conditions to deteriorate to that degree under the chosen scenarios. But in managing environmental risk, this unlikely but highly undesirable outcome should be included in the overall picture of Lake Auburn's possible future.

Comparable water utilities: Comparison of Lake Auburn and LAWPC/AWD/LWD with other water sources and utilities is illustrative of their strengths, weaknesses, and projected future needs (Table 5-1). Lake Auburn's key

Table 5-1. Lake Auburn and comparable water supply lakes and ponds in Maine.

Waterbody	Water Utility	Waterbody Surface Area (acres)	Watershed Area (acres)	Communities Served	Watershed Communities	Filtration Waiver?
Lake Auburn	Auburn Water District	2,277	9,651	Auburn, Lewiston, Poland	Auburn, Turner, Minot, Hebron, Buckfield	Yes
China Lake	Kennebec Water District	3,939	16,704	Waterville, Winslow, Fairfield, Benton, Vassalboro, Maine Water Company - Oakland	Vassalboro, China, Albion	No
Sebago Lake	Portland Water District	29,992	234,000	Portland, South Portland, Westbrook, Falmouth, Cumberland, Cape Elizabeth, Gorham, Windham, Scarborough, Raymond	24 municipalities (Androscoggin, Cumberland, Oxford counties)	Yes
Floods Pond	Bangor Water	635	4,600	Bangor, Eddington, Hampden, Hermon, Orrington, Clifton, Veazie, Hampden Water District	Otis, Clifton	Yes

comparables are China Lake, which supplies the Kennebec Water District (KWD) serving Waterville and surrounding communities; Sebago Lake, supplying the Portland Water District (PWD); and Floods Pond, used by Bangor Water, an independent water utility, to serve Bangor and surrounding communities.

China Lake is nearly double the size of Lake Auburn, with a 3,939-acre lake surface and a nearly 17,000-acre watershed, but the lake divides into two basins nearly equal in size, the west basin and the east basin. The KWD has a water supply in-take located in the west basin, where the shoreline is mostly under KWD control and managed as water supply protection land. The east basin is nearly all under private ownership and has much more shoreline development. The China Lake Outlet Stream, the only outlet of the entire lake, is in the west basin at the dam in Vassalboro. Considered by itself, the west basin is very similar to Lake Auburn in terms of shoreline and watershed management - mostly forested, under public water utility control, with universal restrictions on swimming and bodily contact but with limited recreational fishing allowed. Like Lake Auburn, China Lake serves one community within the lake watershed (Vassalboro) and several communities outside its watershed (Waterville, Winslow, Fairfield, Benton, and the Maine Water Company in Oakland), while the upper watershed towns of China and Albion do not use KWD water.

The key difference between China Lake and Lake Auburn is that China Lake has experienced algae blooms nearly every summer since the 1980s. Blooms were more severe through the 1980s and 1990s, and since the early 2000s, there have been some trends of improvement, including coldwater fish species survival. Since 1993, KWD has filtered the drinking water supply using a granular activated carbon filtration system capable of producing up to 12 MGD, though current demand stands at 3 MGD. The plant was constructed in the early 1990s for a cost of roughly $25 million. According to KWD Superintendent Roger Crouse, P.E., if water quality were to decline significantly from its current stable state, such as increased algae blooms and turbidity, KWD would have to change their operations to handle the lower quality in-take water (R. Crouse, pers. comm). The carbon filters would need to be backwashed more frequently, and the additional backwash water would need to be accommodated somehow in the existing lagoons or else the lagoons would need to be expanded at significant cost. The alum dose used to pretreat the water before filtration would also need to be raised. The key takeaway is that decreased in-take water quality at a filtration plant taxes the system, raises the volume of the waste stream, and adds significant cost and complexity to the treatment process, meaning that water supply managers cannot forgo water quality protection efforts simply because a filtration system is in place.

Sebago Lake is the public drinking water supply source used by the PWD to supply Portland, South Portland, Westbrook, and surrounding Greater Portland communities - roughly one sixth of Maine's population. The lake is roughly 10 times the size of Lake Auburn, with a surface area of nearly 30,000 acres and a watershed area of 235,000 acres. Sebago is the deepest lake in New England at 316 feet at its deepest point. Like Lake Auburn, Sebago Lake qualifies for a filtration waiver owing to a history of excellent water quality. The existing disinfection plant has a production capacity of 54 MGD and currently experiences a demand of 22 MGD. With such a large water supply lake, the capacity of the plant will be exceeded long before any concern of safe yield from the lake arises.

Land use in the Sebago Lake watershed is largely composed of private forestlands. The PWD owns 2,500 acres (or about 1% of the watershed), with 800 acres of mostly shoreland designated as 'No Trespassing' and 1,700 acres of land designated as free for public access for many forms of recreation. Another 28,000 acres are owned or

managed by land trusts. The water supply in-take is at the far southern extent of the lake in the Lower Bay. A 3,000-foot 'No Trespassing' zone surrounds the in-take, and no bodily contact is allowed within two miles of the in-take. Boating, fishing, snowmobiling, and ice fishing are allowed within the 2-mile limit but not within the 3,000-foot limit. Overall, the restricted area is very similar in size and structure to that of Lake Auburn (with the exception that the on-ice activities are not allowed on Lake Auburn). Taking Sebago Lake as a whole, however, the major difference with Lake Auburn is that Sebago's Lower Bay comprises a small fraction of the overall lake, the rest of which has no special swimming or boating restrictions for water supply.

Sebago Lake and its watershed are located many miles away from the service areas of the PWD. This geographical separation means that the communities served by PWD have no ability to enact land use controls on the lakeshore or in the watershed, unlike the situation in Lake Auburn where the City of Auburn can use its zoning ordinances to enact protections for the shorefront and watershed. It is likely that this lack of control over Sebago Lake's upper watershed has spurred the PWD to focus on cooperation with land trusts and private forestland owners to conserve tracts of land. As an example, PWD Environmental Services Manager Paul Hunt told the project team that the PWD is part of a partnership, Sebago Clean Waters, that seeks to raise the total amount of land conserved (and managed at least partly for water supply protection) from the current 12% of the watershed to 25% in the next 15 years (P. Hunt, pers. comm).

In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Floods Pond in Otis, Maine has been the public water supply source for Bangor Water, the independent water district that serves Bangor and surrounding communities since 1959. At 635 acres of surface area, surrounded by a 4,600-acre watershed in Otis and neighboring Clifton, Floods Pond is less than half the size of Lake Auburn. Maximum depth is similar at 133 feet. Like Lake Auburn, Floods Pond also qualifies for a filtration waiver owing to its historically excellent water quality.

Land use in the Floods Pond watershed is largely controlled by Bangor Water, which owns or holds landowner agreements to manage 4,500 acres or more than 99% of the watershed land area. There is no public access to Floods Pond, which is home to a native population of Arctic char (Salvelinus alpinus), a coldwater fish species closely related to both salmon and lake trout that has been used by the Maine Department of Inland Fisheries and Wildlife to establish coldwater fish populations in other Maine lakes. Fishing, boating, and swimming are prohibited, as are hiking, wildlife viewing, and hunting in posted areas that include the entire shoreline.

The geography of Floods Pond as a water supply resembles China Lake more than Lake Auburn. The vast majority of Bangor Water customers are in downstream communities (Bangor, Eddington, Hampden, Hermon, and Orrington), while the protected shoreline and watershed areas are in upstream communities that do not use the water. (A small portion of Clifton is served by Bangor Water.) Bangor Water controls nearly all the Floods Pond watershed in Otis and Clifton, 4,500 acres total and more than LAWPC controls in the Lake Auburn watershed. Recreational activities are also much more restricted at Floods Pond than at Lake Auburn. Floods Pond provides a useful comparison point at the more restrictive end of the spectrum that puts the lost tax revenues and recreational opportunities at Lake Auburn in perspective.

To summarize, these comparisons with other water supply lakes demonstrate that the protections surrounding Lake Auburn do not exceed those of China Lake, Sebago Lake, or Floods Pond. The restrictions on recreational opportunities at Lake Auburn are similar to those at other drinking water supplies, including filtered and unfiltered water sources. Similarly, land use restrictions within the Lake Auburn watershed are far from the most prohibitive among the examples discussed, with only 20% of the watershed held or managed as water supply land compared to 99% of the Floods Pond watershed. In all the examples considered, the authorities in charge of water supply protection emphasize the need to maintain shoreline control as much as possible, to conserve key water supply lands, and to tightly regulate recreation, regardless of current water quality.

Holistic Recommendations

1. We recommend that the City of Auburn not seek to ease the current resource protection zoning or

consider rezoning portions of the watershed for increased density (e.g., village node-style development). Increased density and new opportunities for residential development are better suited to other areas of Auburn outside of the Lake Auburn watershed, preferably areas already served by sanitary sewer (for the benefit of nearby water resources such as the Androscoggin River). This recommendation is based on two key findings of this study that are fully elaborated in Section 3:

- Lake Auburn and its watershed are already at or near the key environmental thresholds of 10 parts per billion annual average total phosphorus and 75% forested watershed land cover; and
- The future scenario models showed that easing restrictions on further development in the Lake Auburn watershed would set the lake on a path toward deteriorating water quality, regardless of the beneficial effects of requiring low impact development techniques and without obvious management strategies to combat further declines in water quality.

2. We recommend that the Planning Board and City Council take up our recommended ordinance revisions and, if acceptable in their current form, adopt them. If not acceptable in their current form, the recommended revisions should be reworked and made more practicable but not watered down or fundamentally changed in their intent or effect. These recommended changes represent a move toward simpler, more transparent, more evenly applied regulations that are based on the best available science. These recommended revisions are fully elaborated in Section 2 and in a separate document to the City.

3. We recommend that the City of Auburn share the findings of Section 4, Analysis of Economic Impacts, with all partners and stakeholders so that the accounting of aggregate economic impacts of the existing conditions and various future scenarios are used as the basis for an open, transparent, and thoughtful public discussion of the fairness, equity, and sustainability of the current cost sharing and benefit allocations, as well as practical ways forward. This recommendation is based on the key finding that any net benefits to the City or Auburn residents and taxpayers from expanded residential development in the Lake Auburn watershed would be counterbalanced by additional costs to Lewiston and its residents and taxpayers, in the form of increased costs associated with mitigating declining water quality and decreased benefits from recreation. These findings are fully elaborated by Section 4 of this report. As a next step in this planning process, we recommend that a scenario be modeled and run through a benefit cost analysis that meets the target water quality goal for Lake Auburn, which was not possible in the future scenarios modeled in this study when considering Auburn-only changes to regulations and management approaches. Developing a scenario that meets the water quality goal may require several iterations. The scenario should likely expand the existing Lake Auburn Watershed Overlay District to the upper watershed towns, require implementation of low impact development techniques on new development watershed-wide, and account for septic design standard changes.

4. We recommend that the City of Auburn, City of Lewiston LWD, AWD, and LAWPC fully support collaborative work with local governments, land trusts, private landowners, and other potential partners in the upper Lake Auburn watershed (Turner, Minot, Hebron, and Buckfield) to control development and limit phosphorus loading. Historically, LAWPC has been an active player in fostering collaborative action between the local governments, with representation from the upper watershed towns. This recommendation is based on the key finding from this study that Auburn alone cannot accomplish sufficient phosphorus load reductions to prevent deteriorating water quality in Lake Auburn, but will require active participation from the upper watershed towns. This finding is fully elaborated in Section 3.

5. We recommend completing a comprehensive review and gap analysis of current water quality monitoring efforts carried out by both AWD and Bates College in the Lake Auburn watershed. Identify gaps based on weaknesses and assumptions for the model. From the review and gap analysis, devise a robust long-term water quality monitoring plan and annual cost estimate for Lake Auburn. We also recommend that 1) the AWD hire a full-time, dedicated data management technician for improved management, access, and analysis of collected water quality data; 2) the AWD and LWD continue collaboration with Bates College on student-assisted monitoring; and 3) LAWPC consider creating a technical science advisory board to establish or maintain key local, State, and regional partnerships that can help to provide regular review and guidance on water quality issues.

6. Given its high probability of causing a filtration waiver violation, a swimming area will likely not be feasible for Lake Auburn at any time unless State and federal authorities sign off. If a swimming area were to be re-instituted at Lake Auburn, we provide many actions that would need to take place to ensure that the area does not contribute to water quality degradation. Refer to Swimming in Section 3.

7. Allowance of only small watercraft restricted to areas away from the in-take should continue, and improved stabilization techniques at vehicle and pedestrian access points along the lake shoreline should be implemented, along with clear and effective barriers to foot and vehicle access.

8. We recommend that the LAWPC coordinate with local youth conservation groups or AmeriCorps to perform annual maintenance of trails and install best practices that limit erosion of trails, especially those sections nearest the lake. In addition, surveying how much horse manure may be found on the trails to inform a reconsideration of horseback riding near the lake is recommended, as manure can be a significant nutrient source in sufficient quantities. Finally, it is recommended that the City acquire permanent recreational trail easements to LAWPC properties with trails for guaranteed public access in the future.

9. We recommend developing a comprehensive natural resource management plan for LAWPC lands that focuses firstly on drinking water protection and secondly on wildlife habitat protection if in the interest of public water supply protection, with multiple management options offered. We also recommend developing natural resource inventories for all LAWPC lands to map critical streams (perennial and intermittent), wetlands, vernal pools, cover types, rare, threatened, and endangered species present, etc. to include in individual natural resource management plans that set management objectives and methods to achieve water resource and wildlife habitat protection for each LAWPC parcel. If timber harvesting continues in the Lake Auburn watershed on LAWPC or private lands, then we recommend a series of actions to minimize forestry impacts to water quality. Refer to Forest Management in Section 3.

10. We recommend that LAWPC work with local conservation groups and land trusts to purchase land in the watershed outside of Auburn. We also recommend that LAWPC consider putting all their properties into permanent conservation. These properties are currently protected under the LAWPC by-laws but provide no higher-level legal protection from future development if said by-laws were to be revoked.

Photo Credit: Sun Journal

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Appendix 2

Current Septic Design Standard

Auburn Zoning Ordinance Section 60-952(f)(1): Subsurface absorption areas shall not be permitted on sites on which the highest seasonal groundwater table, bedrock or other impervious layer is less than 36 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.

The Implication: Local standards within the Lake Auburn Watershed Overlay District limit development on a significant portion of the watershed by effectively prohibiting the use of innovative and alternative septic system and leach field designs to meet the 'depth to constraining layer' requirement. These innovative and alternative designs are otherwise allowed by the State and can achieve comparable or better nutrient removal than a traditional system and leach field.

Recommended Septic Design Standard

The Recommendation: Maintain a requirement for a minimum depth of 36 inches above the constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

This can be achieved by referencing the Maine Subsurface Wastewater Treatment Rules (10-144 CMR 241), with the exception that the required depth to the constraining layer would be at least 36 inches (specified by updating Table 4-F, Minimum Permitting Requirements and Minimum Design Requirements). Because the State rules already provide for the use of such alternative designs such as mounded leach fields and drip distribution systems, as well as other proprietary systems, these would be allowed in the Lake Auburn watershed as well.

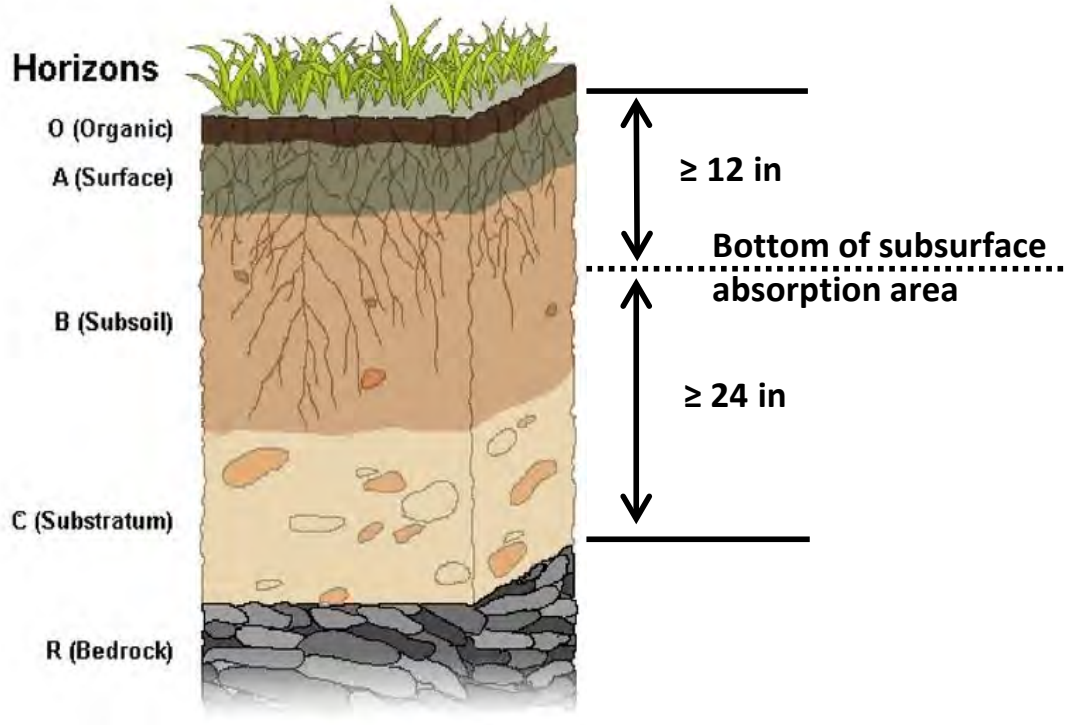


Image Credit: File:SOIL PROFILE.png by Hridith Sudev Nambiar at English Wikipedia.

ORDER 05-01032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following four amendments:

a. **Gracelawn area;** 148 acres from Agriculture and Resource Protection to Commercial Development District (CDD). Approximately, 37 acres are not shown as CDD in approved FLU mapping, but the council did approve utilizing the Auburn Lake Watershed Study. In that study they suggested moving the watershed boundary out and a result from that, we are suggesting moving the proposed CDD boundary out to match the new watershed boundary another 37 +/- acres as intended.

b. **Washington Street Area;** 716 acres from General Business to Commercial Formed Based Code Gateway Development District. Approximately 9.63 acres were not included in the FLU mapping. But approved in the order by the council for the approval of the specific lot PID 199-052.

c. **Court Street/City Core of Urban Residential Area;** 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas.

d. **Subsurface Wastewater Disposal in the Lake Auburn Watershed**; Maintain a requirement for a minimum depth of 36 inches above the limiting factor/constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Auburn, Maine
Conservation Working Group
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

March 17, 2022

Members of the City Council, Mayor, and City staff,

At the March 15 meeting of the Conservation Working Group, the Honorable Neria Douglass, former State Senator and Auburn City Councilor, raised concerns regarding rezoning and potential development of the Gracelawn site. She cited a long history of dumping toxic waste in the area, dating at least back to the 1930s and 1940s, when local shoe shops and tanneries burned industrial wastes there. Douglass sat on the City Council from 1994-1998, when City management decided against pursuing Environmental Protection Agency (EPA) superfund monies in favor of other measures. She provided a number of documents accessed through the Maine Department of Environmental Protection (DEP) website for our consideration, including an EPA commissioned report from August 1994 with a map and description of waste disposal sites. That report is included with this letter.

Given the hazardous nature of the materials included at the site, the Conservation Working Group believes that the issue is important enough to warrant caution and consultation with the Maine DEP as the City considers rezoning the area. A number of questions arose that we feel are worthy of further discussion by the Council, Planning Board, and City staff:

- How well known/understood are the locations of the various waste disposal sites, particularly the older industrial waste dump sites on the north side of Gracelawn that were not properly sealed with clay (see site description on pp. 11-13 of the 1994 report)? How well are these areas currently demarcated?
- Have the areas with hazardous waste been impacted by excavation and other operations at the Gendron gravel pit?
- If the area is to be filled in and graded in conjunction with new development, could the hazardous materials buried at the Gracelawn site shift in any way that could negatively impact Lake Auburn or the Androscoggin River, or have other unintended environmental consequences?
- What buffers or other protections currently exist to ensure that toxic wastes at the Gracelawn site remain undisturbed? What measures need to be in place for future uses that are being considered as part of rezoning proposals?

The Conservation Working Group only recently learned of these concerns associated with the Gracelawn site. We feel strongly that the City must remain vigilant in preventing any negative environmental impacts, particularly in light of the current issues created by PFAS contamination in locations around Maine. Doing our due diligence on the issues outlined above will reassure the Auburn public and any future land users.

Sincerely,

Sam Boss, Chair
Conservation Working Group

REM01505 LBL QQ

CDM FEDERAL PROGRAMS CORPORATION
a subsidiary of Camp Dresser & McKee Inc.

August 26, 1994

Chad.Dacus
3/31/2021, 12:25 PM
Quality Review
Approve Public
Remediation Site No: REM01505
Address1: GRACELAWN ROAD
Town/City1: AUBURN
Site Name1: AUBURN INTERIM LANDFILL
REM Program1: UNCONTROLLED SITES
Doc Type: 00 General Correspondence
Doc Date: 8/26/1994

Ms. Sharon Hayes
Work Assignment Manager
U.S. Environmental Protection Agency
JFK Federal Building
(HSS-CAN7)
Boston, MA 02203

SUBJECT: EPA Contract No.: 68-W9-0045
Work Assignment No.: 23-1JZZ
Trip Report
Gracelawn Waste Disposal Area
Auburn, Maine
TDD No.: 9309-21-ACX
CERCLIS No.: MED981204951

DOCUMENT NO.: 7710-023-TR-BLNN

Dear Ms. Hayes:

The document referenced above is being submitted as partial fulfillment of this work assignment. If you have any comments or questions regarding this submittal, please contact me at (617) 742-2659.

Very truly yours,

CDM FEDERAL PROGRAMS CORPORATION

Dana G. Fuyl

for Tara Abbott Taft
ARCS I Work Assignment Manager

Approved:

Myron S. Rosenberg, Ph.D., P.E.
ARCS I Program Manager

TAT/jac

Attachment

cc: Nancy Smith, EPA Maine Site Assessment Manager
Deborah Hanley, Maine Department of Environmental Protection
Julia Nault, CDM ARCS I Deputy Program Manager (letter only)
Jason Coxall, CDM Site Manager
Document Control File

ARCS I

Site Inspection Prioritization
Trip Report
for
Onsite Reconnaissance and Sampling Activities

Gracelawn Waste Disposal Area

Auburn, Maine

Prepared for

U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION I
Waste Management Division
Boston, MA

Work Assignment No.:	23-1JZZ
EPA Region:	I
TDD No.:	9309-21-ACX
CERCLIS No.:	MED981204951
EPA Contract No.:	68-W9-0045
Document No.:	7710-023-TR-BLNN
Prepared By:	CDM Federal Programs Corporation
CDM ARCS I Work Assignment Manager:	Tara Abbott Taft
Telephone No.:	(617) 742-2659
EPA Work Assignment Manager:	Sharon Hayes
Telephone No.:	(617) 573-5709
Date Prepared:	August 26, 1994

CDM Federal Programs Corporation (CDM) conducted an onsite reconnaissance on June 28, 1994, and sampling activities on August 17, 1994, at the Gracelawn Waste Disposal Area in Auburn, Maine (see Figure 1: Site Sketch with Sampling Locations and Table 1: Sample Summary). The onsite reconnaissance was conducted to meet with appropriate site personnel and to locate potential sampling locations. CDM's field team, consisting of Jason Coxall (site manager) and Cindy Robert (site safety officer), met with Steve Ranney (city engineer for Auburn).

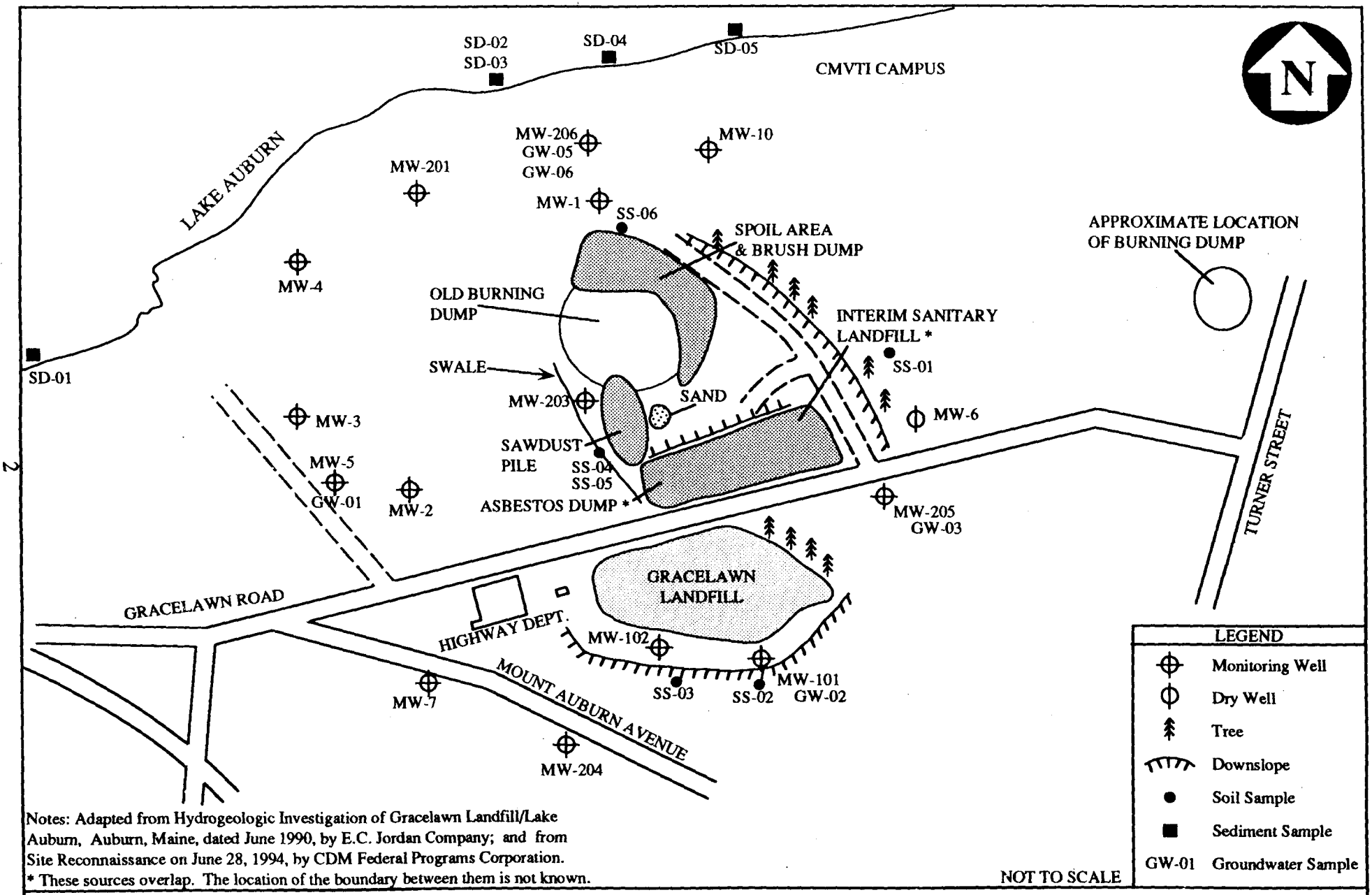
Activities conducted during the reconnaissance included: 1) checking current conditions of the property, 2) locating potential sampling locations, and 3) meeting with Mr. Ranney to complete the background information search. The field team took photographs to document current site conditions.

On August 17, 1994, CDM conducted surface soil, sediment, and groundwater sampling at the site. CDM's field team present for sampling activities were Jason Coxall (site manager), Lisa Drake (site safety officer), Brendan MacDonald (field team leader), and Cindy Robert (sampler and decontamination person). Mr. Ranney was also present for some of the sampling activities.

A total of twenty samples were collected, including six surface soil samples, five sediment samples, five groundwater samples, a trip blank, and three aqueous field quality control (QC) samples. Six performance evaluation samples (PE samples) were sent with the field samples to the laboratories performing the selected analyses. PE samples are used as a tool to evaluate laboratory analysis. Known concentrations of target compounds are prepared as a sample by a third party. The laboratory's result is then reviewed by EPA and included in the data validation process.

Samples were collected in accordance with the Task Work Plan (dated August 1994) with the following exceptions: The background sample SS-01 was collected from a wooded area to the east of the Interim Landfill (see Figure 1) because the original location was situated on private land. GW-04 (MW-10) was not collected; the well was located in a remote area and collection of this groundwater sample in the dark was not possible. Sampling activities concluded at 2200.

The site safety officer was responsible for monitoring the concentration of volatile organic compounds (VOCs) in the ambient air while the field team conducted the reconnaissance and sampling activities. The instrument used to monitor concentrations of VOCs was an Organic Vapor Monitor 580B (with a 11.7 eV lamp). During the reconnaissance, the OVM was calibrated in the parking lot of Auburn City Hall at 1010. During the sampling event, the OVM was calibrated at the decontamination area located to the north of the sawdust pile at 0805. All OVM readings onsite were 0.0 ppm during the reconnaissance and the sampling activities.



Notes: Adapted from Hydrogeologic Investigation of Gracelawn Landfill/Lake Auburn, Auburn, Maine, dated June 1990, by E.C. Jordan Company; and from Site Reconnaissance on June 28, 1994, by CDM Federal Programs Corporation.
* These sources overlap. The location of the boundary between them is not known.

NOT TO SCALE

SITE SKETCH WITH SAMPLE LOCATIONS
GRACELAWN WASTE DISPOSAL AREA
AUBURN, ME

CDM FEDERAL PROGRAMS CORPORATION
a subsidiary of Camp Dresser & McKee Inc.

Figure 1

TABLE 1

Sample Summary: Gracelawn Waste Disposal Area
Samples collected by CDM on August 17, 1994

Sample Location No.	CDM Sample #/ Traffic Report #	Time (hrs)	Remarks	Sample Source
SS-01	MAFG95(I), AHS90(O)	1800	Grab; background sample	Surface soil in adjacent wooded area
SS-02	MAFG96(I), AHS91(O)	1650	Grab	Base of Gracelawn Landfill
SS-03	MAFG97(I), AHS92(O)	1700	Grab	Base of Gracelawn Landfill
SS-04	MAFG98(I), AHS93(O)	1745	Grab	Drainage swale
SS-05	MAFG99(I), AHS94(O)	1745	Grab; duplicate of SS-04	Drainage swale
SS-06	MAFH00(I), AHS95(O)	1840	Grab	Along edge of brush dump
SD-01	MAFG89(I), AHS84(O)	1430	Grab; background sample	Lake Auburn
SD-02	MAFG90(I), AHS85(O)	1240	Grab	Lake Auburn
SD-03	MAFG91(I), AHS86(O)	1240	Grab; duplicate of SD-02	Lake Auburn
SD-04	MAFG92(I), AHS87(O)	1150	Grab	Lake Auburn
SD-05	MAFG93(I), AHS88(O)	1115	Grab	Lake Auburn
GW-01	MAFH02(I), AHS98(O)	1830	Grab; background sample	MW-05
GW-02	MAFH03(I), AHS99(O)	2030	Grab	MW-101
GW-03	MAFH04(I), AHT00(O)	2130	Grab	MW-205
GW-05	MAFH06(I), AHT02(O)	1210	Grab	MW-206
GW-06	MAFH07(I), AHT03(O)	1210	Grab; duplicate of GW-05	MW-206
0022238	AHT86(O)	0800	VOA	PE sample

TABLE 1
(Continued)

Sample Location No.	CDM Sample #/ Traffic Report #	Time (hrs)	Remarks	Sample Source
0021416	AHT87(O)	0800	BNA	PE sample
0016352	AHT88(O)	0800	P/PCB	PE sample
TT0480	MAGG18(I)	0800	Metals--soil	PE sample
0004052	MAGG19(I)	0800	Metals--aqueous	PE sample
0026021	MAGG20(I)	0800	Cyanide	PE sample
TB-01	AHS97(O)	0845	Grab	Trip blank
EB-SS	MAFH01(I), AHS96(O)	0930	Grab	Surface soil sampling equipment rinsate
EB-SD	MAFG94(I), AHS89(O)	0910	Grab	Sediment sampling equipment rinsate
EB-GW	MAFH08(I), AHT04(O)	1010	Grab	Groundwater sampling equipment rinsate

BNA = base/neutral/acid extractable analysis
I = Inorganic (RAS metals and cyanide analyses)
O = Organic (RAS volatile organic, semivolatile organic, and P/PCB analyses)
P/PCB = Pesticides/polychlorinated biphenyls
VOA = volatile organic analysis

RECEIVED
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION

Aug 29 8 48 AM '94

ADMINISTRATIVE
SERVICES

Comments by Enid Jaros Maine DEP 8/17/94 Cdate of proposed Sampling

CDM FEDERAL PROGRAMS CORPORATION
a subsidiary of Camp Dresser & McKee Inc.

August 8, 1994

Ms. Sharon Hayes
Work Assignment Manager
U.S. Environmental Protection Agency
JFK Federal Building
(HSS-CAN7)
Boston, MA 02203-2211

SUBJECT: EPA Contract No.: 68-W9-0045
Work Assignment No.: 23-1JZZ
Task Work Plan
Gracelawn Waste Disposal Area
Auburn, Maine
TDD No.: 9309-21-ACX
CERCLIS No.: MED981204951

DOCUMENT NO.: 7710-023-SR-BKVS

Dear Ms. Hayes:

Enclosed are two copies of the Task Work Plan for Gracelawn Waste Disposal Area located in Auburn, Maine. A tentative sampling date of August 17, 1994 has been scheduled.

If you have any comment or questions regarding this submittal, please contact me at (617) 742-2659.

Very truly yours,

CDM FEDERAL PROGRAMS CORPORATION

Tara Abbott Taft
ARCS I Work Assignment Manager

Approved:

Myron S. Rosenberg, Ph.D., P.E.
ARCS I Program Manager

TAT/bg
Attachment

cc: Nancy Smith, EPA Maine Site Assessment Manager
Deborah Hanley, Maine Department of Environmental Protection
Julia Nault, CDM ARCS I Deputy Program Manager (letter only)
Jason Coxall, CDM Site Manager
Document Control File

WORK ASSIGNMENT NO. 23-1JZZ
EPA CONTRACT NO. 68-W9-0045
DOC. CONTROL NO. 7710-023-SR-BKVS

TASK WORK PLAN

For

ONSITE RECONNAISSANCE AND SAMPLING

At

GRACELAWN WASTE DISPOSAL AREA
AUBURN, MAINE

CERCLIS NO. MED981204951

SUBMITTED BY

CDM FEDERAL PROGRAMS CORPORATION
160 NORTH WASHINGTON STREET
BOSTON, MA 02114

August 1994

(CDM ARCS I Work Assignment Manager) _____
Tara Abbott Taft

(CDM QA Director) _____
for RoseMary Ellersick

(CDM ARCS I Program Manager) _____
Myron S. Rosenberg, Ph.D., P.E.

(EPA Site Assessment Manager) _____
Nancy Smith

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APPENDIX B STANDARD OPERATING PROCEDURES LIST

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1.0 TASK SUMMARY

Under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Superfund Amendment and Reauthorization Act of 1986 (SARA), the U.S. Environmental Protection Agency (EPA), Region I Waste Management Division has contracted CDM Federal Programs Corporation (CDM) to conduct a Site Inspection Prioritization (SIP) of the Gracelawn Waste Disposal Area in Auburn, Androscoggin County, Maine. The SIP will investigate the threat to human health and the environment posed by the site. The scope of this investigation will include collecting surface soil samples to confirm/determine types and concentrations of hazardous substances onsite and collecting groundwater and sediment samples to investigate migration of hazardous substances from the site.

Date of Onsite Reconnaissance: 6-28-94
Date of Sampling: 8-17-94
EPA Contact: Nancy Smith
Phone No.: 617-523-9697

State Contact: Deborah Hanley
State Agency: Maine DEP
Phone No.: 207-287-2651

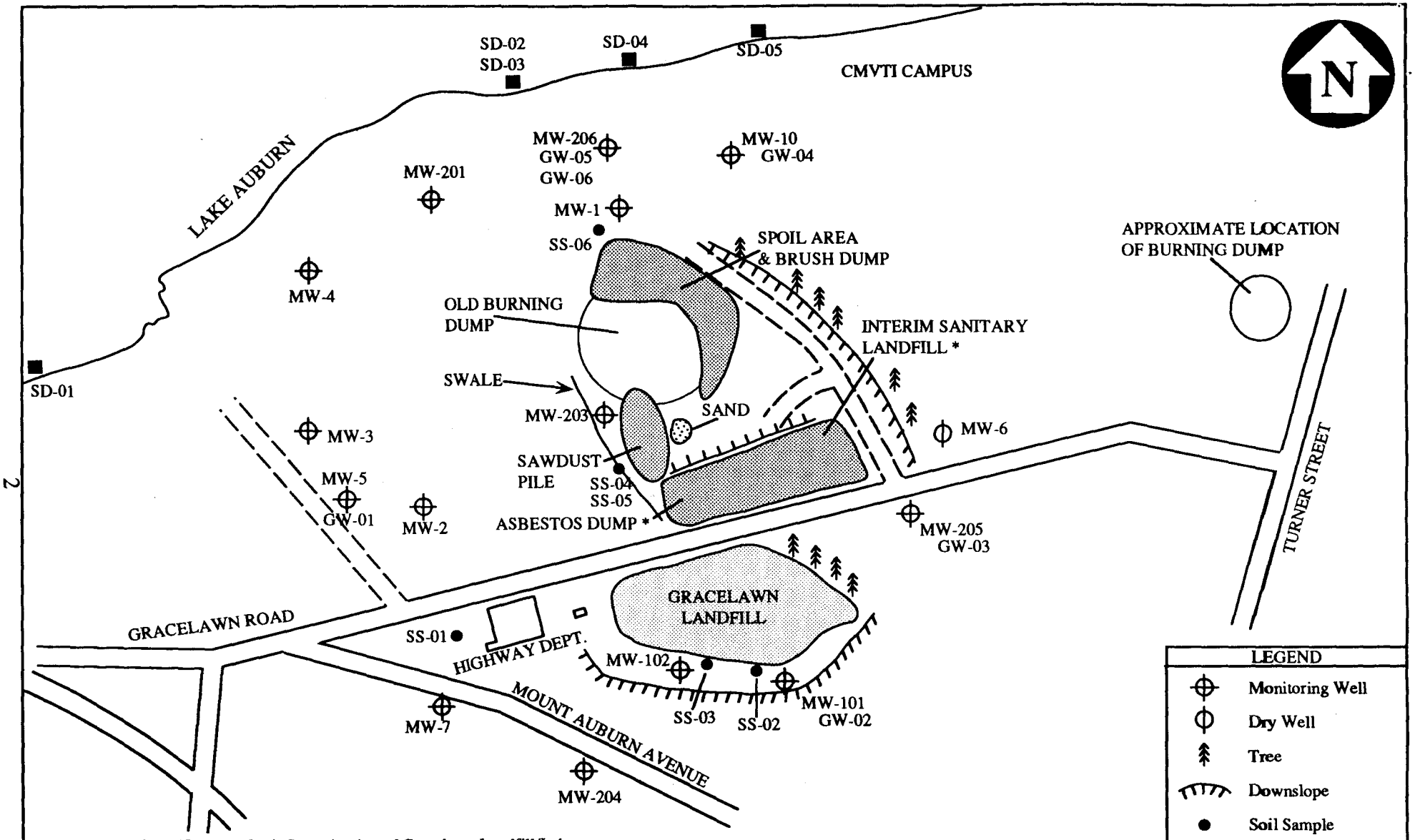
Location and Phone Number of Nearest Phone: CDM Mobile Phone

1.1 SITE DESCRIPTION AND PROBLEM

The Gracelawn Waste Disposal Area is located on Gracelawn Road in Auburn, Maine. The geographic coordinates are 40° 07' 36" north latitude and 70° 14' 58" west longitude. The property has accepted solid, liquid, and sludge wastes since the 1930s. The entire property is estimated to be about 300 acres. Within the property, there are seven distinct waste areas (see Figure 1). These will be discussed in detail below.

1. Gracelawn Landfill - Starting in 1964, municipal and light industrial wastes (including liquids) were disposed of in this unlined area. The 12-acre landfill was closed in 1977, when a clay cap was added. This cap is composed of at least 2 feet of clay and 6 inches of topsoil. There are four deep vents, approximately 60 feet deep, surrounding the landfill -- three along the west boundary and one along the east boundary. Throughout the landfill are approximately 40 to 50 flush-mounted shallow gravel vents. Some of these vents have since been clogged with fine-grained soil. Located on top of the capped landfill is Lakeview Park, which consists of two baseball fields, playground equipment, and picnic tables.

2. Spoil Area and Brush Dump - Started in 1964, this area accepted brush, stumps, metal and other bulk materials. This 7-acre area is still active. Demolition debris, particularly wood waste, makes up much of the pile. Some of this material had to be excavated and placed in another pile at the north end of the brush dump when a large fire occurred.



Notes: Adapted from Hydrogeologic Investigation of Gracelawn Landfill/Lake Auburn, Auburn, Maine, dated June 1990, by E.C. Jordan Company; and from Site Reconnaissance on June 28, 1994, by CDM Federal Programs Corporation.
* These sources overlap. The location of the boundary between them is not known.

NOT TO SCALE

SITE SKETCH WITH SAMPLE LOCATIONS
GRACELAWN WASTE DISPOSAL AREA
AUBURN, ME

CDM FEDERAL PROGRAMS CORPORATION
a subsidiary of Camp Dresser & McKee Inc.

Figure 1

3. Interim Sanitary Landfill and Auburn Landfill - This area does have a clay liner, but it is permeable. Operations started in 1977 and ended in 1981. This landfill is approximately 6 acres; it has a clay cap which is about 1.5 to 3 feet thick. High grasses cover the area.

4. Asbestos Disposal Site - This area was used from 1981 until 1985. A clay cap was added upon closure. Part of the area was located on top of an intermediate cap of the Interim Sanitary Landfill. The area was capped in 1985, but the cap was less than the required thickness of 2 feet. The 3-acre plot was privately operated (on land owned by the city) by Buerhaus Insulation, which accepted asbestos from the northeastern U.S. until its closure in 1985. This land is now covered with high grasses.

5. Sawdust Pile - Sawdust from the manufacture of countertops is deposited here. Pionite ← Pioneer ? Plastics started dumping the sawdust in 1980 or 1981 and continued until about August 1992. The uncovered pile extends about 2 acres.

6. Old Burning Dump - This dump was utilized from the mid-1940s until 1964. The dump received municipal waste and possibly industrial waste from shoe factories and other industries. The dump is about 3.5 acres in size, and it is not capped. No surficial evidence of the dump exist. Other sources such as the sawdust pile and the brush dump may overlap the former burn area.

7. Burning Dump - This area was used from the late 1930s until the mid-1940s. The dump received municipal waste and possibly industrial waste from shoe factories and other industries. The boundaries of this burning area can no longer be seen, as high grasses and trees have reclaimed the land. (There is no indication that the dump was capped prior to closure.)

Also on the property are empty underground storage tanks, a railroad car, metal and concrete drainage pipes, an asphalt pile which is over 20 feet high, and a sand pile which is used by the highway department to improve road conditions in the winter. All of these are located north of the Asbestos Dump.

The property is located on land where sand and gravel mining operations took place. It is surrounded by wooded areas with a field to the south. Local land uses include mining, cemeteries, and residential. Central Maine Vocational Technical Institute borders the proprerty. Locally, the property is situated on a topographic high, roughly 350 feet above mean sea level. The bottom of the pits were approximately 280 to 300 feet above mean sea level.

The city of Auburn is the sole owner of the Gracelawn Waste Disposal Area, and has owned it since it was first established. The city does not have any hazardous waste related permits. Alleged disposal practices included dumping wastes, including 55 gallon drums, into unlined pits left behind by past mining operations, and burning piles of waste. The approximate volume of solid, sludge, and liquid wastes is 2,220,000 cubic yards. The Site Inspection Report by NUS

Corporation stated that an estimated 375 tons of chromium sludge and 50,000 tons of asbestos were dumped on the property. The quantity of industrial solvents disposed of is unknown.

Directions to site: Interstate 93 to Interstate 95. I-95 becomes the Maine Turnpike. Follow the Turnpike (also I-495) to Auburn Exit. Take exit and follow Route 4 North to Veterans Memorial Bridge. Take left onto Mount Auburn Avenue. Follow to Gracelawn Road, then take right. Property will be on left and on right after highway garage (which is on the right).

1.2 PREVIOUS WORK AT SITE

Activities pertaining to Gracelawn Waste Disposal Area include:

On January 3, 1986, E.C. Jordan Company completed a Preliminary Hydrogeologic Investigation. Part of the investigation consisted of collecting groundwater samples (from monitoring wells) and surface water samples (from Lake Auburn). The following monitoring wells were sampled and analyzed for volatile organic compounds (VOCs): MW-1, MW-2, MW-4, MW-9, MW-101, and MW-102. Samples from MW-2, MW-9, and MW-101 did not contain any VOCs for which the samples were analyzed. The other well samples did contain VOCs. MW-101 and MW-102 were installed in 1985; the installation dates of the other wells mentioned is unknown at this time. Of the VOCs the samples were analyzed for (the names of the VOCs for which the samples were analyzed are unknown at this time), none were detected.

On May 7, 1986, NUS Corporation completed a Preliminary Assessment. This investigation summarized a brief history and description of the property. Because of the potential threat of contamination of a drinking water intake on Lake Auburn (serving about 70,000 people), NUS recommended further work at the property.

On April 10, 1987, NUS Corporation completed a Site Inspection. The report listed groundwater samples along with concentrations of acetone and metals detected. At this time, however, there is insufficient information as to the date(s) and locations of these samples.

In June of 1990, E.C. Jordan Company completed a Hydrogeologic Investigation of Gracelawn Landfill/Lake Auburn for the city of Auburn. The general purpose of this report was to determine groundwater movement and quality in the area.

On March 9, 1994, Woodard & Curran Environmental Services sampled monitoring wells in the area of Gracelawn Waste Disposal Area as part of an ongoing quarterly sampling program. The samples of four wells were analyzed using EPA Method No. 601/602 for VOCs. A sample from MW-205 was found to contain 1,1-dichloroethane and ethylbenzene. VOCs were not detected in MW-10, MW-206, and MW-204.

1.3 TRIP OBJECTIVE

The objectives of the SIP are to collect analytical data to identify hazardous substances at the site, to investigate whether hazardous substances have been released to the environment and if these substances have impacted human health and the environment.

This Task Work Plan proposes groundwater, soil, and sediment sampling to identify areas of contamination on the site and in surrounding areas. A Contract Laboratory Program (CLP) laboratory will perform the analysis for the full Target Compound List/Target Analyte List (TCL/TAL) using the CLP Routine Analytical Services (RAS).

1.4 PERSONNEL

The following CDM personnel will constitute the sampling team for the Gracelawn Waste Disposal Area site:

NAME	ROLE
1. Jason Coxall	Site Manager
2. To Be Determined	Sampler 1, Site Safety Officer
3. Brendan MacDonald	Sampler 2, Field Team Leader
4. To Be Determined	Sampler 3, Decontamination

2.0 TECHNICAL APPROACH

2.1 LOGISTICS AND TEAM ORGANIZATION

2.1.1 SITE RECONNAISSANCE

Jason Coxall, Site Manager, and Cindy Robert, Site Safety Officer, conducted an onsite reconnaissance on June 28, 1994. A site-specific checklist for the reconnaissance was developed and is included as Appendix A.

2.1.2 SAMPLING

The Site Manager, Site Safety Officer/Sampler 2, Sampler 3, and Sampler 4 will perform sampling (see Figure 1: Site Sketch With Sampling Locations). The order and type of sampling activities are described below:

1. The field team will enter the site and establish an onsite command post and decontamination area, upwind of all source areas, if possible.

2. The Site Safety Officer will perform a field calibration check of monitoring instruments and will monitor the ambient air with these instruments throughout sampling activities.

3. Samplers will collect samples while the Site Manager documents activities in the logbook and assists with the decontamination of the sampling equipment between sampling locations (if necessary).

4. Surface soil samples will be collected in order of suspected increasing contamination (least contaminated to most contaminated). A background surface soil sample (SS-01) will be collected first, west of the Highway Department Garage.

5. Five additional surface soil samples (SS-02 through SS-06) including one duplicate (SS-05, duplicate of SS-04) will be collected from various locations throughout the property (see Figure 1).

6. Four sediment samples (SD-02 through SD-05) including a duplicate (SD-03, duplicate of SD-02) will be collected from the southeastern extent of Lake Auburn due north of the property. A background sample (SD-01) will be taken from the southwestern edge of the lake. See Figure 1 for these sample locations.

7. Five groundwater samples (GW-01 through GW-05) will be collected, one from each of the following wells: MW-05, MW-101, MW-205, MW-10, and MW-206. MW-5 will be used as a background sample.

I'm not sure if this is the best location for a background sample?

Only one Background Sample?

8. The field team will decontaminate sampling equipment according to SOP 4-5: Field Equipment Decontamination at Nonradioactive Sites.

9. The field team will decontaminate personal protective equipment prior to leaving the property.

2.2 PROCEDURES

All activities will be conducted in accordance with the Site Safety Plan and appropriate Standard Operating Procedures (SOPs) prepared specifically for this Task Work Plan. SOPs are listed in Appendix B.

2.2.1 SOIL

Six surface soil samples (SS-01 through SS-06) including one duplicate (SS-05, duplicate of SS-04) will be collected from the property (see Table 1). A background surface soil sample (SS-01) will be collected first, west of the Highway Department Garage. Five additional surface soil samples will be collected from various locations throughout the property (see Figure 1). At each of these locations, a grab sample will be collected from the 0 to 6-inch interval with a stainless steel trowel. The samples will be analyzed for the full TCL and TAL via RAS to evaluate whether contamination is present. These analyses have been chosen in order to better understand what wastes can be expected in the source areas. Surface soil sampling guidelines are presented in SOP 1-3: Surface Soil Sampling. Locations may be moved based on field observations. The depth of each sample and location will be determined in the field and noted in the field logbook.

2.2.2 SEDIMENT

Four sediment samples (SD-02 through SD-05) including a duplicate (SD-03, duplicate of SD-02) will be collected from the southeastern extent of Lake Auburn due north of the property (see Table 1). A background sample (SD-01) will be taken from the southwestern edge of the lake. See Figure 1 for these sample locations. These samples will be collected using a hand auger and a trowel, and they will be collected to document migration of contaminants entering Lake Auburn from the Gracelawn property. Contaminants could threaten a drinking water intake located on the eastern shore of the lake. This intake services approximately 66,000 people in the Auburn and Lewiston areas. Sediment sampling guidelines are presented in SOP 1-1: Surface Water and Sediment/Sludge Sampling. The full TCL and TAL via RAS will be requested. Sediment samples must contain greater than 30 percent total solids to meet detection requirements. The depth of each sample will be determined in the field and noted in the field logbook. Locations may be moved based on field observations.

← only one BG sample - we need conclusive.

How are they sediment samples?

pg 4 states 70,000 ?

2.2.3 GROUNDWATER

Groundwater samples will be collected to determine whether hazardous substances have been released to the environment and could potentially impact human health. Groundwater flow in the northern portion of the property is to the northeast, east, southeast, and south. In the southern portion, groundwater flow is semi-radially to the south. Depth to groundwater in this area is sometimes as shallow as six feet.

Five groundwater samples (GW-01 through GW-05) will be taken, one from each of the following wells: MW-5, MW-101, MW-205, MW-10, and MW-206. MW-5 will be used as a background sample because it is believed to be located away from the general groundwater flow directions beneath the property, and for this reason it is believed to most likely represent background conditions. The other wells have been chosen for sampling because based on previous hydrogeologic studies, they will most likely receive contaminated groundwater migrating from the source areas. VOCs, semivolatile organic compounds (SVOCs), and inorganics are all expected to be detected in these samples. All samples will be collected using a 2-inch stainless steel bailer according to SOP 1-5: Groundwater Sampling Using Bailers. Groundwater samples have been taken in the past, but these samples have only been analyzed for selected VOCs and metals. Therfore, groundwater samples will be analyzed for the full TCL and TAL via RAS.

No residential targets?

2.2.5 QUALITY ASSURANCE

All work on this project, including sample collection, preservation, preparation of quality control (QC) equipment blanks and duplicates, and chain-of-custody procedures used during sampling activities will be in accordance with the ARCS I Quality Assurnace (QA) Program Plan, Revision 4, January 1993 (QAPP) and CDM's Standard Operating Procedures (SOPs).

Field and analytical QA/QC for this sampling event will be accomplished by a combination of equipment blanks and duplicates. QC samples are used to estimate the precision and accuracy of analytical results and to examine sources of error introduced by field and laboratory practices. QC samples will be used to validate the analytical results. Field QC samples (trip blanks, field equipment blanks, and duplicates) are assigned new sample numbers. Laboratory QC samples (e.g., matrix spike/matrix spike duplicates (MS/MSD)) are assigned the same number as the field sample, and the containers and all copies of paperwork are labeled "Laboratory QC." The number of QC samples that CDM will collect is based on the following criteria: one field equipment blank (EB) (per sample equipment type) per 10 samples collected, one duplicate per 10 samples to be analyzed for the appropriate parameters, one trip blank (TB) per cooler (containing VOC samples) to be analyzed for VOCs only, and one MS/MSD at a rate of one per 20 field samples. For aqueous organic analysis, triple the volume will be required for MS/MSD; for aqueous inorganic analysis only double the volume will be required. Additional sample volume is not required for sediment and soil samples.

Performance evaluation (PE) samples will be obtained from EPA and submitted with field samples to be analyzed via RAS. PE sample types must be appropriate to the analytical methods to be used for the investigative samples. For samples to be analyzed for the full TCL and TAL, six PE samples (for volatiles, semivolatiles, pesticides/polychlorinated biphenyls, two metals (1 aqueous, 1 soil), and cyanide) will accompany the field samples.

2.3 DECONTAMINATION

General decontamination procedures are presented in the Site Safety Plan and in Section 5.3 of SOP 4-5: Field Equipment Decontamination Procedures at Nonradioactive Sites. Sampling equipment will be dedicated to each sampling station. All sampling equipment will be decontaminated at the conclusion of sampling activities using the following procedures:

1. Decon field personnel will don clean surgical gloves.

2. Sampling equipment will be disassembled and component parts will be placed on polyethylene sheeting.

3. Component parts will be cleaned with a warm detergent solution (e.g., alconox) using a brush to clean inside and outside surfaces).

4. All surfaces will be rinsed with potable water.

5. All surfaces will be rinsed with deionized water.

6. All surfaces will be rinsed with methanol.

7. All surfaces will be rinsed with deionized water.

8. All components will be allowed to air dry.

9. Equipment will be reassembled and wrapped in plastic wrap or aluminum foil, shiny side out.

10. All field personnel will decontaminate according to the Site Safety Plan.

11. Decon fluids will not be allowed to infiltrate into the ground onsite; the State of Maine does not allow this practice. Proper disposal of the fluids will be determined prior to the sampling event.

2.4 DOCUMENTATION

Photographs will be taken to document site conditions during sampling (SOP 4-2: Photographic Documentation of Field Activities). Field observations will be recorded in the logbook including descriptions of the sampling locations and any deviations from the Task Work Plan (SOP 4-1: Logbook Content and Control). Chain-of-custody will be maintained until samples are relinquished to a courier or to the laboratory assigned to perform the analysis (SOP 1-2: Sample Custody and SOP 2-5: Packaging and Shipping of Environmental Samples).

2.5 SAFETY CONSIDERATIONS

An HNU and/or an organic vapor monitor (OVM) will be used to screen ambient air for organic vapors. Operating and calibration procedures are documented in the Equipment Procedure (EP) 2.0: OVM Datalogger, Model 580B, EP 3.0: HNU Photoionization Analyzer, and SOP 5-1: Control of Measurement and Test Equipment.

Contaminants of concern are listed below including the highest concentrations (they were all detected in the groundwater):

acetone	1300 ppb
arsenic	26 ppb
iron	91,000 ppb
magnesium	31,000 ppb
manganese	8,600 ppb
nickel	32 ppb
potassium	15,000 ppb
benzene	7.3 ppb
bromomethane/chloroethane	6.8 ppb
2-butanone	690 ppb ←
chloroethane	10 ppb
chloroform	11 ppb
chloromethane/vinyl chloride	12 ppb
1,1-dichloroethane	110 ppb ←
1,2-dichloroethane	130 ppb ←
trans-1,2-dichloroethene	13 ppb ←
1,2-dichloropropane	1.6 ppb
ethylbenzene	8 ppb
methylene chloride	11 ppb
tetrachloroethene	0.52 ppb
4-methyl-2-pentanone	40 ppb ←
toluene	11 ppb
1,1,1-trichloroethane	7.6 ppb
trichloroethene	2.1 ppb
trichlorofluoromethane	13 ppb ←

vinyl choride	39 ppb ←
xylenes	12 ppb

The Site Safety Plan requires all sampling tasks to be conducted in Level D. If the OVM/Hnu detects readings above 5 ppm, the sampling team will upgrade to Level C.

DigSafe was contacted on 7-20-94. Because power tools were not going to be used, there will not be a need to contact DigSafe prior to sampling.

2.6 SAMPLE RATIONALE

Rationale for collecting samples at the Gracelawn Waste Disposal Area are listed in Table 1. See Table 2 for identification of the type and number of bottles, type of analysis, and preservation of each sample.

TABLE 1

SAMPLE RATIONALE

SAMPLE LOCATION	DESCRIPTION/RATIONALE
MATRIX: Soil	
SS-01	Surface soil grab collected. The exact location will be determined in the field; the sample will be collected in an area which most likely represents undisturbed natural conditions; background sample.
SS-02	Surface soil grab collected south of Gracelawn Landfill. The exact location will be determined in the field; potential source of contaminants attributable to Gracelawn Landfill.
SS-03	Surface soil grab collected south of Gracelawn Landfill. The exact location will be determined in the field; potential source of contaminants attributable to Gracelawn Landfill.
SS-04	Surface soil grab collected in swale directly west of asbestos dump and sawdust pile. The exact location will be determined in the field; potential source of contaminants attributable to the Gracelawn property.
SS-05	Duplicate of SS-04 for Quality Control
SS-06	Surface soil grab collected north of brush dump. The exact location will be determined in the field; potential source of contaminants attributable to the Gracelawn property.
MATRIX: Sediment	
SD-01	Sediment grab collected at southwestern corner of Lake Auburn; background sample.
SD-02	Sediment grab collected at southeastern edge of Lake Auburn due north of the Gracelawn property; potential observed release to surface water.
SD-03	Duplicate of SD-02 for Quality Control.
SD-04	Sediment grab collected at southeastern edge of Lake Auburn due north of the Gracelawn property; potential observed release to surface water.

TABLE 1 (Continued)

SAMPLE LOCATION	DESCRIPTION/RATIONALE
SD-05	Sediment grab collected at southeastern edge of Lake Auburn due north of the Gracelawn property; potential observed release to surface water.
MATRIX: Groundwater	
GW-01	Groundwater sample from MW-5; because groundwater flow is not believed to flow to the west, this sample will be used as background.
GW-02	Groundwater sample from MW-101; to document an observed release to the groundwater.
GW-03	Groundwater sample from MW-205; to document an observed release to the groundwater.
GW-04	Groundwater sample from MW-10; to document an observed release to the groundwater.
GW-05	Groundwater sample from MW-206; to document an observed release to the groundwater.
GW-06	Duplicate of GW-05 for Quality Control.
MATRIX: Aqueous	
TB-01	Trip blank for QC
TB-02	Trip blank for QC
EB-SS	Equipment blank; for QC of decontamination procedures of soil sampling equipment.
EB-SD	Equipment blank; for QC of decontamination procedures of sediment sampling equipment.
EB-GW	Equipment blank; for QC of decontamination procedures of groundwater sampling equipment.

TABLE 2

BOTTLES, ANALYSIS, PRESERVATION OF SAMPLES

SAMPLE LOCATION	#/TYPE BOTTLES	ANALYSIS	PRESERVATION
SS-01	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SS-02	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SS-03	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SS-04	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SS-05	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SS-06	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SD-01	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SD-02	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SD-03	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SD-04	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C
SD-05	2 40-ml glass vials 1 8-oz wide-mouth jar 1 8-oz wide-mouth jar	volatiles extractables inorganics	cool, 4° C cool, 4° C cool, 4° C

TABLE 2 (Continued)

SAMPLE LOCATION	#/TYPE BOTTLES	ANALYSIS	PRESERVATION
GW-01	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
GW-02	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
GW-03	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
GW-04	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
GW-05	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
GW-06	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C
TB-01	2 40-ml glass vials	volatiles	HCl to pH <2, cool, 4° C
TB-02	2 40-ml glass vials	volatiles	HCl to pH <2, cool, 4° C
EB-SS	2 40-ml glass vials 2 80-oz amber glass 1-L HD polyethylene bottle 1-L HD polyethylene bottle	volatiles extractables total metals cyanide	HCl to pH <2, cool, 4° C cool, 4° C HNO_3 to pH <2, cool, 4° C NaOH to pH > 12, cool, 4° C

TABLE 2 (Continued)

SAMPLE LOCATION	#/TYPE BOTTLES	ANALYSIS	PRESERVATION
EB-SD	2 40-ml glass vials	volatiles	HCl to pH <2, cool, 4° C
	2 80-oz amber glass	extractables	cool, 4° C
	1-L HD polyethylene bottle	total metals	HNO_3 to pH <2, cool, 4° C
	1-L HD polyethylene bottle	cyanide	NaOH to pH > 12, cool, 4° C
EB-GW	2 40-ml glass vials	volatiles	HCl to pH <2, cool, 4° C
	2 80-oz amber glass	extractables	cool, 4° C
	1-L HD polyethylene bottle	total metals	HNO_3 to pH <2, cool, 4° C
	1-L HD polyethylene bottle	cyanide	NaOH to pH > 12, cool, 4° C

NOTES:

HD = High Density
L = Liter
ml = milliliter
oz = ounce
HCL = Hydrochloric Acid
HNO_3 = Nitric Acid
NaOH = Sodium Hydroxide

APPENDIX A

ONSITE RECONNAISSANCE CHECKLIST

Not filled in?

ONSITE RECONNAISSANCE CHECKLIST

Following is a list of activities to be performed and areas to be investigated during the onsite reconnaissance of the _____ site. All information obtained during the recon will be recorded in the site dedicated logbook.

Meeting with facility owner/operator:

- ☐ Site history
- ☐ # of workers/residents onsite _____
- ☐ Source of drinking water onsite
- ☐ Permits: RCRA, NPDES, others
- ☐ Description of past and current operations:
  - waste types generated
  - waste quantities generated
  - waste source area described
  - waste source containment
  - use of contaminants of concern
- ☐ Building descriptions:
  - utilities
  - floor construction
  - floor drains

Site Walk:

- ☐ Draw site sketch/plan:
  - fences
  - means of egress
  - topography
  - USTs/ASTs
  - Individual Sewage Disposal Systems
  - utilities/transformers
  - catch basins, storm drains, ditches
  - parking areas (paved/unpaved?)
  - rights-of-way/easements

ONSITE RECONNAISSANCE CHECKLIST (continued)

- ☐ Identify water features:
  - wells
  - springs/seeps
  - wet areas onsite
  - wetlands
  - evidence of flooding/surface erosion
  - direction of runon and runoff
  - water bodies
  - PPE(s)

- ☐ Identify geologic features:
  - topography and slope
  - rock outcrops
  - soil characteristics

- ☐ Identify potentially hazardous features:
  - drums, barrels, containers, tanks
  - containment (describe)
  - waste materials
  - odors
  - leachate
  - stained soil
  - discolored surface water
  - pits/ponds/lagoons

- ☐ Identify vegetation features and condition
  - type/maturity/density
  - stressed vegetation

- ☐ Identify evidence of recreational activities
  - camp fire/party remains
  - bike trails
  - water body use (fishing/swimming/boating)

Perimeter survey:

- ☐ Observe and measure distance to:
  - wetlands
  - PPE(s)
  - nearest residence/daycare/school

APPENDIX B

STANDARD OPERATING PROCEDURES LIST

STANDARD OPERATING PROCEDURES

The following Standard Operating Procedures (SOPs) will be distributed to field personnel by the field team leader prior to the field planning meeting. SOPs will be available during field activities.

PROCEDURE #*	REVISION #	TITLE OF PROCEDURE
EP 2.0	0	OVM/Datalogger, Model 580B
EP 3.0	0	HNU Photoionization Analyzer
SOP 1-1	1	Surface Water and Sediment/Sludge Sampling
SOP 1-2	0	Sample Custody
SOP 1-3	1	Surface Soil Sampling
SOP 1-5	0	Groundwater Sampling Using Bailers
SOP 2-5	0	Packaging and Shipping of Environmental Samples
SOP 4-1	1	Field Logbook Content and Control
SOP 4-2	1	Photographic Documentation of Field Activities.
SOP 4-5	0	Field Equipment Decontamination at Nonradioactive Sites
SOP 5-1	1	Control of Measurement and Test Equipment

*SOP = Standard Operating Procedure, EP = Equipment Procedure

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ADMINISTRATIVE
SERVICES

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY

May 20, 1994

Mr. Steve Ranney
City of Auburn
45 Spring Street
Auburn, ME 04210

Re: **REQUEST FOR ACCESS TO PROPERTY**
Gracelawn Waste Disposal Area
Auburn, ME
MED981204951

Dear Mr. Ranney:

The United States Environmental Protection Agency (EPA) respectfully requests permission for EPA, its agents, contractors, and other authorized representatives to have access to the Gracelawn Waste Disposal Area located on Gracelawn Road in Auburn, Maine.

EPA requests access to your property to conduct or oversee a CERCLA site evaluation. Entry to your property to conduct this activity is authorized by Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e). This authorization provided by CERCLA includes access to private property in order to determine the need for response actions, to perform response actions, and to enforce CERCLA. Entry by EPA is also authorized under Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6297. Under that section EPA may enter property where hazardous wastes are or have been disposed of, transported from, generated, stored, or treated in order to enforce the provisions of RCRA.

CERCLA site evaluation activities may include information-gathering to determine whether hazardous substances, pollutants, and contaminants may be, or may have been released to the environment. In addition, EPA and its representatives may drive vehicles onto the site, collect samples, take photographs, and dispose of small amounts of decontamination fluid on the property. EPA or its representatives will offer the owner or company representative(s) replicates of the samples collected if requested. Prior to leaving the property, the EPA representatives will supply the owner or company representative(s) with a receipt for samples collected on the property.

PRINTED ON RECYCLED PAPER

Please signify your consent to access by signing this document in the space provided below, and return it to me at the above address (adding my mail code: HSS). The access agreement must be signed by all owners of the property. If EPA does not receive a reply within **ten (10) business days** of your receipt of this letter, it will become necessary for EPA to employ other means to obtain access. Such means may include issuing an administrative order or bringing an action in federal court to secure EPA's right to access.

Your cooperation in assisting with completion of CERCLA site evaluation activities is appreciated. If you have any questions, I may be contacted at (617) 573-9697. All communications from your legal counsel should be directed to Ms. Marcia Lamel of the EPA Region I Office of Regional Counsel at (617) 565-3435.

Sincerely,

Nancy Smith

Nancy Smith
Site Assessment Manager
Superfund Support Section
Waste Management Division

cc: Mr. Jason Coxall, CDM FPC
Ms. Deborah Hanley, ME DEP

CONSENT FOR ACCESS TO PROPERTY

I (We), the Owner(s) of the Gracelawn Waste Disposal Area located on Gracelawn Road in Auburn, ME, shall permit EPA's officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives, to enter and have continued access to this property for the purpose of conducting a CERCLA site evaluation.

I (we) realize that these actions are undertaken under EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e) and under Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6297.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse, and without threats or promises of any kind.

_____ _____
Signature of Property Owner/Operator or Authorized Representative(s) Date

NAME:_____
ADDRESS:_____
_____

CONSENT OF ADDITIONAL OWNER(s)

_____ _____
Signature of Property Owner/Operator or Authorized Representative(s) Date

NAME:_____
ADDRESS:_____
_____

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ENVIRONMENTAL
PROTECTION

MAY 23 1 38 PM '94

E.C. JORDAN CO. ENGINEERS & SCIENTISTS

261 Commercial Street/P.O. Box 7050
Portland, Maine 04112
(207) 775-5401 Telex 94-4329

COPY

From 4/26/89 letter to Auburn

HYDROGEOLOGICAL INVESTIGATION
GRACELAWN LANDFILL
CITY OF AUBURN, MAINE

TERMS AND CONDITIONS

The services provided under this Task Order Memorandum E will be governed by the terms and conditions of the Task Order Agreement dated March 9, 1987, between the City of Auburn (City) and E.C. Jordan Co. (JORDAN).

PROJECT SUMMARY

The CITY operated a municipal solid waste disposal facility (Gracelawn Landfill) from 1964 to 1977. The landfill is located on Gracelawn Avenue adjacent to the CITY garage. In response to the CITY'S request, JORDAN proposes a hydrogeological investigation that will involve (1) piezometer and monitoring well installations, (2) water quality sampling and laboratory analysis (3) hydrogeological evaluation and (4) reporting in the Fall of 1989.

The program described below will evaluate potential groundwater contaminant migration away from the Gracelawn Landfill and assess whether contaminated groundwater is discharging to Lake Auburn, the CITY'S drinking water supply. The program provides for (1) installation of three new monitoring wells north of the landfill, (2) replacement of two existing monitoring wells south of the landfill (these will be destroyed by commercial development), (3) installation of up to 13 hand-driven piezometers along part of the south shore of Lake Auburn, (4) installation of two hand-driven monitoring wells and four hand-driven piezometers in the two streams located south and southwest of the landfill, (5) sampling and analyses of the groundwater in ten monitoring wells, and (6) reporting the results of the investigation. This program will supplement and incorporate the results of the existing semi-annual sampling and analytical program that JORDAN is conducting for the CITY.

FILE COPY

Rec'd 7/30/90

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

July 26, 1990

Eric Jones
Maine Dept. of Environmental Protection
State House Station # 17
Augusta, ME 04333

Dear ~~Ms. Jones:~~ Eric

Enclosed please find EPA's marked-up copy of CERCLIS for Maine. Hopefully this will help answer some of your questions. However, if you can not understand why something was or was not changed in CERCLIS, please do not hesitate to call me and I will try to help you. I have also enclosed all the information I could find on the site in Belgrade. This site is not a CERCLIS site.

The two sites in Auburn (DOT and Millers) were recommended for SSIs based on NUS/FIT PAs completed in 1988. The Gracelawn Waste Disposal Area SI completed by NUS/FIT on 4/10/87 and entered into CERCLIS on 5/9/88 recommended that an LSI be conducted. We have no information in the file concerning a low HRS score. The Buckfield site information form gave a recommendation for a NFRAP after the PA, but gave a recommendation for an LSI after the SSI. Because this did not make sense I changed the recommendation after the PA to a medium priority SSI (since one had already been done). I could not find a CERCLIS file on the Island View Street Site in Saco and I do not remember entering the site into CERCLIS. I will look into this further.

If you have any questions, or if you need any further explanation, please call me at (617) 573-5709.

Sincerely,

Sharon M. Hayes

Sharon M. Hayes
Superfund Support Section

cc: Carl DeLoi, Chief
File

FILE COPY Recd 8/6/87

1.A. COST CENTER: Region I 1.B. ACCOUNT NO.: $375ME11HR	**FIT ZONE I CONTRACT** **CONTRACT NO. 68-01-7346** **TECHNICAL DIRECTIVE DOCUMENT (TDD)**	2. NO.: F1-8706-04 2.A.: ☒ NEW ASSIGNMENT ☐ AMENDMENT

3.A. PRIORITY: ☒ HIGH ☐ MEDIUM ☐ LOW	4.A. ESTIMATE OF TECHNICAL HOURS: 100	5.A. SSID NO.: XXX (MED981204951) 5.B. EPA SITE NAME: Gracelawn Landfill	6. DESIRED REPORT FORM ☐ FORMAL REPORT ☐ FORMAL BRIEFING ☐ LETTER REPORT ☒ OTHER (SPECIFY): HRS scoring & documentation package
3.B. KEY EPA CONTACT: NAME: Susan Svirsky PHONE 565-3661	4.B. ESTIMATE OF SUBCONTRACT COST: NA	5.C. CITY/COUNTY/STATE: Auburn/Androscoggin/ME	7.A. START DATE: 6/8/87 7.B. ESTIMATED COMPLETION DATE: 9/30/87

8. TYPE OF ACTIVITY:
☐ PA ☐ SI ☐ ESI ☒ HRS SUPPORT ☐ QA SUPPORT ☐ SPECIAL STUDIES
☐ ENFORCEMENT SUPPORT ☐ TRAINING ☐ EQUIPMENT MAINTENANCE
☐ GENERAL TECHNICAL ASSISTANCE ☐ PROGRAM MANAGEMENT

9. GENERAL TASK DESCRIPTION:
Prepare a Draft HRS scoring package for: Gracelawn Landfill, Auburn, ME.

10. SPECIFIC ELEMENTS:	11. INTERIM DEADLINES:
1. Review all available background materials.	
2. Prepare Draft HRS scoring and documentation forms.	
3. Have all documents reviewed and approved by the NUS/FIT HRS review team.	
4. Attend a QC review meeting with EPA to assess the Draft HRS package and determine the next appropriate action for the site.	
5. Revise the Draft HRS package relative to EPA QC comments.	
6. Submit the revised Draft HRS package to EPA for QA review.	
7. Close the Draft HRS TDD.	
☐ ADDITIONAL SCOPE ATTACHED	

12. COMMENTS: OVERTIME APPROVED

13. AUTHORIZING: ☒ RPO ☐ DPO ☐ PO Donald R. Smith (SIGNATURE)	14. DATE: 6-3-87
15. RECEIVED BY: ☒ ACCEPTED ☐ ACCEPTED WITH EXCEPTIONS (ATTACH) ☐ REJECTED Richard G. DiNitto (CONTRACTOR FITOM SIGNATURE)	16. DATE: 6-8-87

SHEET 3 CANARY-RPO COPY

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AUGUSTA, MAINE 04333

Copy

STAFF ORDER

IN THE MATTER OF

CITY OF AUBURN Auburn, Maine, Androscoggin County CLOSING PLAN #07-3731-01010	)	SOLID WASTE ORDER FINDINGS OF FACT AND ORDER

After reviewing the project file which includes the application with its supportive data, agency review comments, staff summary and other related materials on file with regard to the above noted project, under provisions of Title 38, M.R.S.A., Sec. 483, the Department finds the following facts:

1. The project involves the closing of the Auburn Interim Landfill located on the northwest side of Gracelawn Road in Auburn at 44° 07' 32" N Latitude, 70° 14' 20" W Longitude. The facility is to be closed in accordance with Department of Environmental Protection Regulation 400.10 A-K.

2. The Interim Landfill has been in operation since July 27, 1977. The landfill was used for the disposal of Auburn's, New Gloucester and Minot's municipal refuse from July 27, 1977 to March, 1981. Ash was disposed of at the site from March, 1981 to July 1981.

3. On March 3, 1981, the Board of Environmental Protection ordered the interim landfill closed by July 30, 1981.

4. Access restriction has been provided.

5. A ground water monitoring program has been implemented. The monitoring shows that the ground water under the landfill may flow in the general direction of Lake Auburn necessitating a continuation of the monitoring program.

6. A site closing plan was submitted to this Department on August 21st, 1981. The plan provides for diversion of surface water.

7. All ash and refuse will be compacted, covered with 2 feet of final cover and seeded.

8. The earth material to be used for final cover contains approximately 50% fines.

9. Methane vents will be provided.

THEREFORE, the Department APPROVES the closing plan for the Auburn Interim Landfill located on the Gracelawn Road in Auburn with the following conditions:

1. The Standard Conditions of Approval, a copy attached.

2. The entire disposal area is to be compacted, covered with 2 feet of earth with 45-55% fines, limed, fertilized, and seeded by June 1st, 1982.

3. The 10 monitoring wells shall be sampled and the water elevation recorded semi-annually, and the results submitted to the Department.

4. The Department shall be notified upon the completion of all grading and placement of final cover.

5. The methance gas vents shall be installed higher than 1 inch above the finished grade so no fines will migrate into the crushed rock.

6. Corrections shall be made as necessary or as directed by the Department.

DONE AND DATED AT AUGUSTA, MAINE, THIS 29TH DAY OF DECEMBER, 1981.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
HENRY E. WARREN, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR APPEAL PROCEDURES....

FILE REVIEW Grace Iown Landfill 03
Auburn

DATE	NAME	ORGANIZATION
6/23/89	Anne Tischbein	Woodard & Curran
5/15/89	Pat Clark	ALH
7/9/91	John Adams	Westinghouse Environmental & Geotechnical Services, Inc.
7/26/91	STEVE KELLEY	HALEY + ALDRICH
10/29/91	Richard Heath	GZA GeoEnvironmental
10/14/92	DAVID WISNIEWSKI	BATES COLLEGE
2/22/2001	Sue Drake	GZA GeoEnv.
6/2/2003	Cynthia Thayer	R.W. Gillespie & Associates, Inc.

#07-3731 - Land Bureaus file #

Mark Hyland. (Talk to)

Auburn - Grace Lawn Rd Landfill

1977 - Aub. N. Glouc. + Minot - refuse (proposed 1 to 2 yrs)

3/81 to 7/81 - Ash disposal site (to be covered when dumped)

ordered closed by 7/30/81

Actual closing 4/81

6/80 - operating manual - disposal of asbestos (over old landfill)

7/12/85 - closed to asbestos ((7/17/85) asbestos is not properly covered (~5.6 acres))

Closing Plan - Department approves - meets requirements

- seed + cover w/in 30 days of closing
- Precaution not to disturb or expose asbestos.
- methane vents - when landfill closed

10 monitering wells - check semi-annually (mar. + Sept)

7/77 - Samples show Fe, Mn, As, Cr, Pb

10/81 - well #5 - closest to lake - Fe - 2.26 ppm, Pb 0.12 ppm, chromium .006 ppm, cadmium .004 ppm - Leachate migration

Ground water flow toward Lake Auburn (½ mile away) - most likely →

No check for vinyl chlorides in past Land Bureau has metal checks from 1981 but not later years (monitering wells)

No information (follow-up) after 9/85 about the dump being covered + seeded.

*Pioneer plastics Dumped ~~asbestos~~ plastics?

- Vinyl chloride - adhesive for plastics, used refrigeration or

Danville Landfill - dumping Ash

Susan Surverski EPA - tested area - what were results? the test need to be validated - they're behind They will send info as soon as can.

8/85 - new monitoring wells installed

12/85 - check out Vinyl Chloride complaint - Kathy Hinds heard about from newspaper - wants checked out.

.. Asked mark Hyland - City is testing well samples.

1/86 - City hired E.C. Jordan to do a Remedial Action Plan. Meeting on Feb 6. @ 1:00 between Jordan, Auburn + mark (DEP) - Land Bureau interested because of dump close out. (Decide that I should also attend meeting to get back ground info. - to determine O+M Mat'ls role.

Danville Landfill - dumping Ash

Susan Wierski EPA - tested area - what were results?
the test need to be validated - they're behind
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Asked mark Hyland - City is testing well samples

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CHRONOLOGY

8-85 - New monitoring wells installed
9-85 - mw - 1, 2, 9, 101, and 102 - sampled
11-85 - mw -, 4, + 102 - Sampled
12-85 - mw - 4 - sampled + 5 samples taken of lake Auburn.
E.C. Jordan had wells installed + sampled them.

12/85 - Becky - checked out Vinyl Chloride complaint (Kathy Hinds read about in News Paper and wants it checked out). Asked Mark Hyland - City has hired E.C. Jordan to test the Well Samples.

1/86 - City hired E.C Jordan to submit a Preliminary Hydrogeologic Investigation program. Meeting set up for Feb 6 @ 1:00 pm. between Land Bureau + City officials to discuss Jordan's proposal. + give advice. (Decide that Becky should attend meeting to get background info (determine O+H materials role.

2/6 Meeting - Mark Hyland + Florence Hoar - Land Bureau, Becky - O+H Bureau, + Chip Morrison - City Manager, Steve Ranney - City Engineer, + Bob Belz - Public Works - City of Auburn, Auburn officials were interested in DEP's advice pertaining to Jordans proposal. Land Bureau did not get a copy of Jordans plan until start of meeting.

STATE OF MAINE
Department of Environmental Protection

MAIN OFFICE: RAY BUILDING, HOSPITAL STREET, AUGUSTA
MAIL ADDRESS: State House Station 17, Augusta, 04333

JOHN R. McKERNAN, JR.
GOVERNOR

DEAN C. MARRIOTT
COMMISSIONER

MEMORANDUM

TO: Auburn Gracelawn Landfill File

FROM: Rebecca L. Hewett, BOHMC

DATE: August 3, 1987

RE: July 29, 1987 meeting held at E.C. Jordan, Inc.

** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** **

On July 29, 1987 at 3:00 pm, I arrived at E.C. Jordan, Inc. (ECJ) in Portland and met with Susan Svirsky (EPA), David Webster (EPA), Dale Mosher (ECJ) - retained by the City of Auburn, and Auburn City officials Paula Valente (City Manager), Steve Ranney (City Engineer), Norm Lamie (Water District), and Bob Belz (Public Works Director). Susan Svirsky and David Webster explained the EPA's pre-remedial and remedial actions at hazardous substance sites to the Auburn City Officials.

The EPA is presently working on the final draft of the Site Investigation (SI) report and is awaiting the review of the Hazardous Ranking System (HRS) package. The Gracelawn Landfill's HRS package score will determine if the site is listed on the National Priority List (NPL) this fall. The probably actions (i.e., Remedial Investigation/Feasibility Study [RI/FS], Potential Responsible Party [PRP] search, etc.) if a site is listed on the NPL were discussed with the Auburn City Officials.

The City of Auburn is investigating the feasibility of initiating a study of the Gracelawn Landfill site and its potential impact on Lake Auburn (the City's drinking water supply). The City's general feeling at the close of the meeting was to hold off on the study until it is determined if the site is placed on the NPL this fall.

bhauburn

Grace Lawn Landfill in Auburn - meeting at ECJ.
7/29/87

NAME	AFFILITION	PHONE
David Webster	U.S. EPA	617-565-3632
Steven Tranney	City of Auburn	207-786-2421
Rebecca Hewett	Me DEP	207-289-2651
NORM LAMIE	AUBURN WATER DISTRICT	207-784-6469
Daniel Valente	City of Auburn	207-786-2426
TODD BELZ	CITY OF AUBURN	207-782-0391
Dale C. Mosher	EC Jordan	207-775-5401
Susan C. Svirsky	USEPA Region I	(617)-565-3661

Auburn - Grace lawn Landfill 7/29/87 @ 3:00p.
Meeting at C.C. Jordan

Dave Webster } EPA
Susan Svirsky }
Norm Lamie - City Auburn - Water Dist.
Paula Valente - City Auburn - City Manager
Bob Belz - City Auburn
Steve Ranney - City Auburn
Rebecca Hewett - Me DEP
Dale Mosher - ECJ - hired by Town of Auburn

NPL sites
- Proposed
- Listed

Auburn Gracelawn site - should be decided - NPL or not this Fall 1987.

PRP's - Town, GE, Pioneer Plastics (info on)

If October on Proposed NPL - trigger PRP search, RI/FS, etc.
↖ general take ~ 2 years to complete.

Sun Metro Tuesday 7/28/87

Auburn to seek answers on Gracelawn Road dump site

By Joel Davison
Sun staff writer

AUBURN — City officials will meet Wednesday with a representative of the federal Environmental Protection Agency over the status of the Gracelawn Road landfill site, City Manager Paula R. Valente said Monday.

The EPA has been studying the background of the long-term municipal dumping site to determine if it poses enough of a health hazard to qualify for federal clean-up dollars under the Superfund law.

But it could be years before the site is eligible for the money, depending on how high it it ranked, so Valente said the city is looking into what could be done locally between now and then.

"We decided to initiate the meeting to get some sense of where the EPA might be going" with the site, Valente said. "We want to get a more-precise idea of the timing."

Besides Valente, others who will be meeting Wednesday afternoon in Portland with EPA scientist Susan Svirsky include city Civil Engineer Steve Ranney, Water District Supt. Normand R. Lamie, Public Works Director Robert Belz, and Dale C. Mosher of E.C. Jordan Co. of Portland. E.C. Jordan is already under contract with the city to monitor ground water through wells at the landfill.

What the city wants to know, Valente said, is if it puts in additional monitoring wells at the site between now and the time the Superfund money is available, would it fit into the EPA's plan under Superfund?

When Superfund money is used to clean up a site, the federal government then tries to recover the expense from those who dumped there.

In this case, Valente said that means the city as well as other companies who took their waste to the site while it was open.

Lamie is attending the meeting because the landfill is located near Lake Auburn, which serves as the major drinking-water supply of Lewiston-Auburn.

A Boston consulting firm is currently conducting a study of the lake and its watershed to see what pollutants are entering the water and from what sources.

"We've been sharing with city officials all the information we have that comes across on the watershed study," Lamie said. "And we're looking to receive the same type of information" on the Gracelawn site.

Lamie said the final draft of the watershed study is expected in mid-August.

"We want to find out whether it's in the best interest to initiate any more testing or not at this point," said Valente.

While Svirsky could not be reached for comment Monday afternoon, she told The Sun in April that the site could be ranked as early as October.

The landfill was closed in 1975, but an E.C. Jordan report issued in January said it as "been identified as having received substantial quantities of industrial liquid wastes."

A study conducted by E.C. Jordan Co. in 1985 and 1986 showed that monitoring wells on the periphery of the landfill were detecting traces of some chemicals known to be carcinogens.

At that time, the company recommended the drilling of nine additional monitoring wells, but the city held off pending the Superfund determination by the EPA.

Auburn Water District to test Lake Auburn spring

By Joel Davison
Sun staff writer

Auburn Water District Trustee Dana E. Bunker was appointed Tuesday to determine if a contaminated spring that feeds into Lake Auburn should be closed off.

The spring, located off Spring Road about 50 feet from the western shore of the lake, was first found to be contaminated "about three years ago," according to Water Superintendent Earle A. Tarr Jr., "but a decision was made by the (trustees) board at that time to keep it going. The biggest reason was that it's always been there and a lot of people use it."

Tarr said the spring is on district land "so we're responsible for it." But he said the district's attorney wrote a disclaimer for placement at the site which warns people of the danger of drinking the water. "In other words, people use it at their own risk," he said.

The spring has been a popular place for North Auburn residents to get their water for years.

"What contaminates it?" asked Bunker.

"We don't know," Tarr replied. "We never bothered to find out."

When asked about the contamination, Assistant Superintendent Bob Palmer said recently that this year's contamination was discovered through routine testing Oct. 22. He said the test turned up escherichia coli, a bacteria found in warm-blooded animals which indicates that there "could be other bacteria present."

Palmer said possible sources of the contamination could be runoff over animal feces on the ground near where the water runs into the spring, or a dead animal, such as a mouse, that could be in the water.

Palmer said the "trickle that comes out of the spring is about as big as a pencil" and that contamination is more likely when the water flow is small.

He suggested that people either refrain from drinking the water until the district removes the warning signs, or that the water be boiled at least 20 minutes before drinking. The district, he said, will continue to test the water twice weekly until the contamination is gone.

In making the motion to appoint a committee, Bunker said, "I think it's a serious enough concern to take a good hard look at it and either do something or do nothing."

The spring has been a popular spot for residents for well over 100 years. A small hotel operated on the spring site until it was enlarged in 1889 to an ornate, five-story wooden structure operated by the Lake Auburn Mineral Spring Co.

The hotel business was enhanced by the high-quality spring water, which was used for ginger ale, sasaparilla and other soda drinks, as well as drinking water for many residepts.

But the hotel soon folded and was consumed by fire in 1893, after which time the Water District acquired the land and put a cement cap on the spring to insure its usability and to preserve it for posterity.

The board was also notified that the state Public Utilities Commission turned down a request for an 18-percent, late-payment charge for overdue bills. The district, however, then refiled to the PUC for a 12-percent charge which was approved.

While the late-payment charge was approved to use as of Nov. 6, it is scheduled to go into effect the first of the year.

Watershed study cost estimate is tabled

11/13/8

By Joel Davison
Sun staff writer

A complete study of the Lake Auburn Watershed area would probably cost between $37,500 and $45,000, Auburn Water District Trustees were told Tuesday.

The study estimate was forwarded to the district by Camp, Dresser & McKee, the Boston consulting firm which recently did a preliminary watershed study in which a full study was recommended. Trustees requested at their last meeting that a proposal be submitted, but they tabled the matter Tuesday until board members could study it further. It will be discussed at the trustee's regular December meeting.

The full study, according to the proposal, would entail three parts: a ground water and geological study at $18,000; a watershed study at $15,000; and lab analysis, which was estimated costing between $4,000 and $12,000. If the study involves going further upstream into tributaries than anticipated, the costs would be higher.

The study would be designed to answer several questions, among them:

- What is the existing lake water quality in terms of bacteriology and water chemistry?
- What are the sources of pollutants entering the lake?
- How will full development under existing zoning effect the lake quality in the long term?
- Is the existing zoning adequate to protect the water quality of the lake?
- Can the occasional algae problems be controlled or reduced? and
- What are the sources of ground water entering the lake and are they within the watershed?

The ground-water and geological study would involve surveying watershed soil types, origins and permeabilities; reviewing well logs and precolation test in the area; use special measures to assess the total ground-water input; analyze linear features of watershed through aerial photography; use instruments to determine ground-water inflow characteristics along the shoreline; estimate inflows from different surface layers, such as till, outwash deposits and bedrock; overlay locations of industry, storage and other land uses with areas of highest recharge to determine potential problem areas; and develop recommendations for protecting water quality or further study.

The watershed study would involve in-lake sampling at various depths for 13 parameters on a seasonal basis to determine existing water quality; survey shoreline-sediment depth to determine long-term silt loadings from various tributaries; sample and analyze sediment at delta areas of tributaries to determine long-term quality of incoming flow; sample tributaries for chemical bacterial parameters to determine incoming water quality from different areas of watershed; survey tributaries to identify possible sources of pollutants; and compare existing land-use mapping of watershed to maximum allowable density under existing zoning.

The proposal also calls for developing recommendations for possible changes in the zoning map and/or ordinance, for controlling or reducing algae problams, and for long-term monitoring of water quality by district staff.

Auburn asbestos landfill closing comes back before City Council

By Joel Davison
Sun staff writer 6-9-86 LS

The ongoing issue of who should pay to close a portion of the Gracelawn Road landfill should again be before the City Council for discussion next Monday following a meeting last week between city officials and the state Department of Environmental Protection.

While the city contends that Richard C. Buerhaus, who operated an asbestos landfill on part of the site between 1980 and 1985, is responsible for closing the entire landfill, Buerhaus and the DEP maintain at this point that the city never held to its agreement to close an interim landfill on the site before Buerhaus began depositing asbestos.

Buerhaus has already begun closing another part of the landfill, where most of the asbestos was dumped, although he is still responsible for adding topsoil, mulching and seeding the site by June 15.

"We talked over the problem, but there was really nothing new," Auburn City Manager Charles A. Morrison said of Tuesday's meeting in Augusta that he attended along with councilors Harry W. Woodard Jr. of Ward 1, Frances Abbott of Ward 2, Franklin H. Goss of Ward 3 and Alvin E. Gilbert of Ward 4. Representing the DEP were Clifton Eliason of the Land Quality Control Bureau and Mark Hyland of enforcement.

Morrison said the "options" are to either push the issue before the Board of Environmental Protection (BEP) for its consideration and action, or "have the councilors talk about it and accept the responsibility they say is ours."

Eliason said Monday that his understanding is that the council "would be sitting down and discussing what their next course of action would be and that they would be back in contact with me this week or next."

When Buerhaus originally submitted his plan for closing, Eliason said "it appeared that Buerhaus had responsibility for the entire site because his initial approval (by Auburn) for the site did not limit him to one portion of the site and his plan showed the whole site."

But Eliason said as he and Hyland began to look into the matter more closely, they found that Auburn had been ordered by the BEP to close the interim disposal site as of July 30, 1981, which was to include compacting the entire interim-landfill area with two feet of clay.

Eliason said Buerhaus's operation should not have penetrated the interim-site cover if it had been properly closed and that Buerhaus's order from the DEP specified that Buerhaus "would be responsible for closing the areas where he put asbestos."

Morrison said, "I see the DEP's point of view, but I don't agree with it. Why would we let Auburn Landfill Company (the name under which Buerhaus ran the asbestos dump) have the landfill if we had to close the whole thing first? The major thing that the city got out of (the arrangement with) Auburn Landfill Company was that they were going to close the site."

The city has tried to negotiate the closing with Buerhaus, but when talks broke down, the council in early May suggested that Buerhaus be asked to consider arbitration to settle the matter.

Morrison said that he has still had "no direct response" from Buerhaus on the arbitration question.

Buerhaus has asked the DEP to amend his closing plan in order to shift the responsibility of the interim-site area back to the city, and if the city of Auburn doesn't go along with it, the issue may go before the BEP for formal action.

"Nothing has been indelibly cast," said Eliason. "There's no final recommendation yet; we're waiting to see what the city submits" as a response to Tuesday's session.

Woodard said, "I think the meeting with the DEP went well and that the council will decide what will be done at our next meeting. I hope we get it settled soon because it's been dragging on long enough."

Museum popular despite air scare

Capital Bureau
KJ 6-9-86

AUGUSTA — The Maine State Museum is pointed toward a record year attracting visitors, despite a publicized asbestos scare in April.

The head count for the first five months of 1986 is 51,000 visitors, Director Paul Rivard told the State Museum Commission Monday.

That is more than half way to annual attendance estimates for past years, with seven months left to count in 1986.

Rivard said later that the 100,000-a-year estimates are based on visual head counts taken by lobby personnel, with a 10-15 percent adjustment upward for people counters may miss. But the 51,000 represents only the actual count.

The success has been dented by continuing impressions that the museum is affected by discovery of hazardous airborne asbestos elsewhere in the Cultural Building, he said. The museum has been open since a two-day April shutdown, when tests showed the only problem with loose asbestos was in the state library, due to water leakage there. The library is still closed, but Rivard says confusion remains among people he meets.

"In spite of that visitation is higher than normal," he said.

One attraction is the museum's largest current exhibit, "Maine in Maine," which opened last October after years of preparation.

Hazardous waste conference set TR 6/9

SEBASCO — In conjunction with the annual meeting of the Garden Club Federation of Maine, an all day New England regional conference on hazardous waste awareness will be held June 16 at Sebasco Lodge. Meetings are scheduled from 9:30 to 11:30 a.m. and 1:15 to 5:00 p.m. The conference is open to participants from all New England states are invited to attend the conference which is being underwritten by the Shell Oil Company.

Some of the topics to be discussed are: 1. Who should be responsible for managing the hazardous waste problem; 2. The best method of hazardous waste disposal; 3. How small businesses dispose of waste; 4. Landfill problems; 5. Who generates the most hazardous waste.

National Garden Club President, Mrs. John N. Ferher, will be joining the New England Region for the entire convention as well as Mrs. Granville Smith, the New England Regional Director.

...y...

"If you're going to have to take a guess, take a guess in favor of the lake."

The quality of the lake formed the central issue for the board as it began exploring the various subdivision and conditional use criteria that must be met for project approval.

"I think in many ways this is the most difficult case the board has had to deal with," Codes Enforcement Officer Thomas Gordon said. "It's not going to be an easy process for us to decide who do we trust or who do we believe."

The board presented Gordon and town attorney Lee Bragg with a series of questions ranging from the current quality of the lake to the feasibility of performance bonds.

Based on the questions and board comments, Gordon will draw up "findings of fact," considerations on which the board will base, in part, its decision in the case.

Auburn Council agrees to pay for closing landfill

By Mike Boehmer
Sun staff writer

The Auburn City Council Monday ended a nearly year of haggling when it reluctantly decided to pay for closing part of the Gracelawn Road landfill.

Following the recommendation of City Manager Charles A. Morrison, councilors voted 4-0 to follow a Department of Environmental Protection plan calling for the city to fill in the landfill's eastern portions. Ward 4 Councilor Alvin E. Gilbert was not present.

Morrison said the area will be closed "on a materials basis," with the city supplying most equipment. He declined to publicly release a cost estimate, saying that could hurt the city when it seeks prices for clay and other materials.

At the request of Councilor Frances Abbott, Morrison is to provide costs to council when work is finished.

The council had argued that Richard C. Buerhaus of Auburn Landfill Co. was responsible for closing the entire dump. The firm operated an asbestos landfill on part of the site between 1980 and 1985.

But Buerhaus and the DEP maintained the city hadn't lived up to an agreement to close an interim landfill on the site before his company began dumping asbestos. That made the city liable for closing the site, they said.

Mayor John J. Cleveland, a council member when the original agreement was reached with Buerhaus, said: "It was my recollection and understanding that responsibility (for closing the dump) rested with the company."

Cleveland said he thinks "it is extraordinarily unfortunate that a company that resides in Auburn . . . could not come to a better understanding with its political body than what it has, considering the opportunity to be cooperative that the city extended to the individual and company when the project started."

"I think it reflects extrordinarily poorly on Mr. Buerhaus and certainly doesn't enhance his reputation with me . . .," Cleveland added. Reached at his home late Monday, Buerhaus had no comment.

Morrison told councilors Buerhaus has begun closing another part of the landfill where most of the asbestos was dumped.

The city and Buerhaus attempted to negotiate the closing. When talks broke off during the spring, the city had considered arbitration.

Morrison, though, said Monday the DEP's insistence that the city take responsibility for covering part of the landfill persuaded him to make the recommendation. A letter will be sent to the DEP, saying that the city's work should be completed by the end of August.

"As we expressed to you, we firmly believe that Auburn Landfill Co. bears the responsibility for closing the entire site," the letter states. "However, we understand the concerns you raised regarding closure of the easterly side of the site."

In other action, the council:

- Approved contracts with unions for the city highway department and deputy fire chiefs. Both two-years, retroactive to April 1. give 4 percent raises each of the years.
- Deferred expanding a city groundwater monitoring program in the Gracelawn area. Morrison said a preliminary Environmental Protection Agency study has resulted in a report that recommends further testing under the federal Superfund program. Such a test would dwarf the city's program, he said.
- Authorized issuance of $1 million in revenue bonds for Thomas Moser Cabinetmakers Inc. to acquire land and equip a new manufacturing facility in the Auburn-Lewiston Airpark.
- Set in motion the process to issue $500,000 in revenue bonds for Edward and Monika Spooner of Frank Jordan Sheet Metal Inc. The money would allow the company to lease a 20,000-square-foot facility at the Central Maine Corporate Park on Merrow Road.
- Adjudged the old Lake Grove House at 1240 Turner St. a nuisance and authorized its removal. Dana Turner, one of several owners of the building, had told council he plans to renovate the building. But councilors said they have seen little progress toward improving the structure. If work is done on the building. council could rescind its action next month, Morrison said.
- Set a workshop session with the Planning Board for 6 p.m. next Monday to review amendments to the zoning ordinance.
- Decided to take no action on discontinuing the Old Waterman Road. Since the road has been abandoned for more than 40 years, the public already had no right to travel over it, according to an opinion issued by city attorney G. Curtis Webber.

ıburn concerned by effect of shore ses on Lake Auburn's water quality

By Joel Davison
Sun staff writer

LDS 7/4/86

While disappointed at the turnout at last week's informational meeting on a water-quality study now under way of the Lake Auburn Watershed, the superintendent of the Auburn Water and Sewerage District said Thursday that the session opened his eyes to some shoreland uses that could have drastic implications.

"We were trying to get input from people who have lived on the lake for years and years," said Norman R. Lamie, who took over the superintendent's job in May following the retirement of Earle A. Tarr Jr.

At the meeting, which was attended by 25 citizens, Lamie said he listened to "a lot of complaints of trash being left on the lake's shore, of people washing cars on Lake Shore Drive (which borders much of the lake) and even people changing their oil."

City civil engineer Steve Ranney, who attended the meeting, said Thursday that, "one gallon of oil can contaminate a million gallons of drinking, or potable, water."

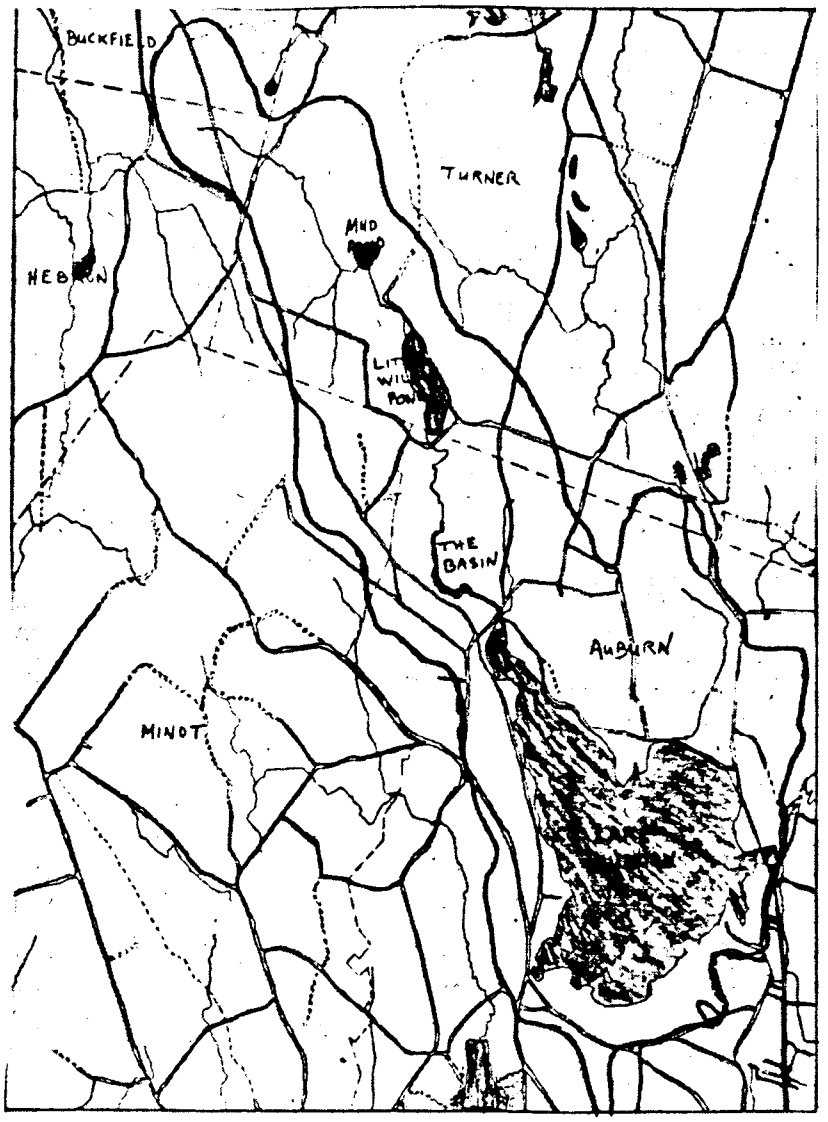
"Maybe we need an educational effort and go into the schools to tell people what people do around the lake and what effect that might have," Lamie said.

Ranney agreed with Lamie that an educational campaign aimed at the schools is probably needed soon to show people what uses must be forbidden around the lake if the pristine water that serves more than 50,000 residents in Auburn and Lewiston is to remain pure.

Lamie said one suggestion was to put up a chain-link fence to protect the water, which he called "something to think about, but not very desirable."

Ann E. Fenderson, a Lake Shore Drive resident who attended the meeting, said Thursday that she doesn't think "people are aware of what's going into the lake from the common things they do every day; (for instance) any soap or detergent is bad for the lake. Some were concerned about people who go in and fish from different points and leave different things behind.

"I think people are willing to help," she said. "I don't believe people do it on purpose. I'm glad (the district) is concerned. I don't use the water myself because I have an artesian well, but I'm concerned for the safety of the water. It sounds like it will be quite a complete study."



Heavy line shows Lake Auburn watershed

The Water District office sent out 500 leaflets explaining the purpose of the meeting to residents around the lake, as well as to members of planning boards, and councilors and boards of selectmen in Auburn as well as in the four surrounding towns — Turner, Minot, Hebron and Buckfield — that lie within the watershed.

Several Auburn officials attended, including City Manager Charles A. Morrison, Ward 4 Councilor Alvin E. Gilbert, Planning Board Chairman Paul A. Choate and Health Officer Brenda Rivet, as well as Lewiston Water Superintendent Norman J. Cyr; but Lamie was disappointed that there was no response from the other towns.

Lamie said the watershed study being conducted by the Boston consulting firm of Camp, Dresser & McKee began the second week of June with a double set of samples being taken at various inlets and supply points

CONT.

of the lake following an isolation process.

Lamie was pleased that some lakeshore residents have volunteered to have their wells sampled because he said it would save time and effort in drilling new test wells. He encourages more well owners to contact either him or Assistant Superintendent Bob Palmer at the Water District office at 784-6469.

In August, the district itself will take a second set of samples for the consultants and have them analyzed at A & L Laboratory in Auburn. Lamie said at least four more rounds of samples will be taken in the four-season study.

The purpose of the study is to determine if there are any sources of pollutants entering the lake that can be controlled, and to develop a long-term monitoring program to protect the lake. The study has two basic components: surface water and ground water.

The surface-water part will include sampling of the lake and its tributaries, and studying the land uses in the watershed to predict future water quality. The ground-water study will attempt to determine the direction of ground-water flow near the lake and whether there is ground water flowing to the lake from areas unprotected by existing zoning regulations.

At the meeting, Camp Dresser Project Manager Eileen Pannetier and another representative of the firm gave a 30-minute overview of the study, after which the public was encouraged to ask questions.

"Those who were there thought it was a good idea to get feedback and they asked a lot of interesting questions," said Ranney. "There was good participation from those who were there and I think the questions and comments were well taken."

Ranney suggested that a media campaign accompany the effort in the schools. "The local TV stations could have a little spot each week, saying, 'This is Lake Auburn, your water supply and there are things being done that threaten it.. The alternative is building a multi-million-dollar treatment plant.' "

Lamie said the district plans to hold more informational meetings in the future to update the public on the study.

The Sun

Editorials 7/1/84

The MSEA contract

Negotiations between the state government and the Maine State Employees Association with its 10,000 members is likely to continue for a comparatively long time.

Discussions should be lengthy if the MSEA continues to demand 8 percent wage increases. The state cannot afford the additional $40 million that would result from what the union is proposing. Such a sum automatically would produce a budget deficit of several million that is not permissible under the state constitution.

The 8 percent figure does not accord with what has been happening to the cost of living. Inflation is running between 3 and 4 percent. So the combined cost to the state of the next wage contract with the MSEA should be considerably below 8 percent.

The fact Gov. Joseph E. Brennan is running for Congress this year has occasioned some picketers at the State House Tuesday to carry signs stating: "No contract in July, no vote in November." This particular approach amounts to political blackmail. The MSEA has no business attempting what amounts to a blatant effort to get the Governor to push for a contract simply in order to obtain election votes.

We in no way believe Brennan will submit to this kind of unfair pressure. While we have not agreed with him over the years on some issues, his record in office has been one of integrity. It will be well for top MSEA officials to advise the rank and file to cease a kind of arm-twisting that is totally unjustified.

Auburn Grace Lawn + Asbestos

Municipal workers will close landfill

By Joel Davison
Sun staff writer LS 7-12-86

Auburn officials have decided to use in-house manpower and equipment to close the eastern portion of the Gracelawn Road landfill that city councilors last month finally agreed was the city's responsibility to seal up.

"We won't be contracting the job out," said Assistant City Manager Paula Valente on Friday, "and, hopefully, it will be closed by the end of August or around the first of September in accordance with (state Department of Environmental Protection) regulations."

She said the decision was made largely due to financial considerations and time constraints.

While Valente said the state did not set a deadline for the final closure, she said, "It obviously has to be done and the decision was that it is better for us to do it in-house. It should be more cost-effective to do it ourselves" and it means the city won't have to depend on outside contractors, who already have commitments this summer, to get the work done expeditiously. "There's no time to spare," she said.

However, she said closing the landfill will mean that "some of the typical activities that get done day to day during the summer months by the Public Works crew will have to be put on the back burner because this is a priority."

Valente said Public Works Director Robert Belz and Highway Department Superintendent Kenneth Marshall will be overseeing the project, which will involve bringing in clay, grading, mulching and seeding, and the installation of vents to allow the escape of methane gas from the landfill.

"It's going to take at least five to six people working on it every day," said Valente. "And hauling the clay in is going to take at least a month." She indicated that the project had already begun.

Councilors agreed to close the landfill's eastern portion on June 16 at the recommendation of City Manager Charles A. Morrison. Morrison, however, noted at the meeting that his recommendation came only after the DEP had insisted that it was the city's responsibility, since the city once operated an interim landfill on the site and the DEP said that dump had never been properly sealed.

The city had maintained all along that the closing of the entire landfill was instead the responsibility of Richard C. Buerhaus, who operated an asbestos landfill under the name of Auburn Landfill Co. on another portion of the site between 1980 and 1985.

Head of Maine Board of Environmental Protection resigns

BDN 7-12-86
By David Platt
Senior Writer

Sam Zaitlin, chairman of the state Board of Environmental Protection for the past two years, has announced his resignation from the board to return to private business.

Zaitlin served on the board for seven years, during which the 10-member group wrestled with issues ranging from subdivisions and hydropower projects to incinerators and dioxin contamination. The BEP regulates larger industrial, commercial and residential developments throughout Maine.

"My big regret," he said Friday, "is that I won't get to deal with some big issues now pending." His list of unfinished business included the question of dioxin in sludges, the condominium development of Great Diamond Island off Portland, the allocation of resources within the state Department of Environmental Protection, and the adequacy of Maine's 15-year-old set of environmental laws.

"I've reached the point in business where the time demands are so great that I knew if I were to continue, I couldn't give the board the time it deserved," Zaitlin said. He owns a large scrap metal business in Biddeford.

Gov. Joseph E. Brennan picked Zaitlin to be chairman in 1984, after the Legislature reorganized the board, removing the Commissioner of Environmental Protection and decreeing that the chairman should be appointed from the board's regular membership.

Zaitlin reflected on issues the board had dealt with during his seven years' service, and how Maine's problems have changed.

"In the past, it really did seem to be sufficient to look at development projects without any thought of cumulative impact," he said. "Now it's different — the pressure to deal with cumulative impact issues will heighten in the next few years."

He said he was impressed with the "complexity" of some issues, particularly the air-quality impact of waste-to-energy plants and how Maine should deal with traces of dioxin in industrial and municipal sludges. Recently Zaitlin has championed "risk assessment" — the idea of measuring the actual health risk posed by a particular pollutant before embarking on expensive control strategies or absolute prohibitions.

Typically, a risk assessment expresses the threat of a particular pollutant in terms of the number of cancer cases it might be expected to cause over time.

Zaitlin said he thought the board's recent inclination to delegate routine matters to the DEP staff had "on the whole, worked well." But he pointed out the concern on the part of board members and the DEP staff over the large number of appeals coming before the board. Some of the appeals, he said, raise legitimate legal concerns.

A citizens's board like the BEP, Zaitlin said, offers "the greatest amount of environmental protection ar openness," despite its cumbersome nature and the risl involved.

Like the state Legislature, he said, the quality of th decisions that emerge from the board depends on th quality of the people there.

"The board is only as good as the appointments th are made to it," he said, adding that he thought th current group was extremely good.

The Bangor Dam was one of the most difficult issue Zaitlin had to deal with during his term, he said. After protracted process, the board turned down a developer' proposal on grounds that it didn't guarantee there woul be no "diminishment" of the Penobscot River's prim Atlantic salmon fishery. The dam proposal brought th board face-to-face with Maine's hydro licensing law tha allows no diminishment on certain prime river stretch es, including the Penobscot at Bangor.

FILE COPY

R.I. deadline extended for Mass. trash decision

Associated Press

PROVIDENCE, R.I. – A deadline for reaching an agreement on he dumping of Massachusetts rash at the state landfill has been extended because of conflicting aws on the controversial issue, officials said.

The director of the agency that uns the Johnston landfill had set Friday deadline but agreed to extend it to Dec. 15 because of the egal questions.

The haulers and Thomas E. Vright, chairman of the state Sol- l Waste Management Corp., said he quickest solution to the dis- ute would be for the Superior 'ourt to declare unconstitutional 1970 law prohibiting the dump- ng of out-of-state waste at the andfill.

That law conflicts with a 1980 atute allowing the waste agency permit haulers to dump trash om outside Rhode Island at the ohnston landfill.

Three owners of two major rubsh companies and three of their ivers were arrested last Tuesday r violating the 1970 law. They sponded by asking the court to id the statute.

The haulers said Friday that if ey signed an agreement to dump assachusetts waste at the land- l they might be subjecting themlves to criminal charges.

"We would be admitting that are doing something that state lice are now arresting people ," said Alan J. Goldman, an atney for the trash haulers.

Wright said the agreement will ow the dumping of small ounts of Massachusetts trash lected in communities within 10 miles of the Rhode Island border, provided an equal amount of Rhode Island garbage is dumped in Massachusetts.

> 'We would be admitting that we are doing something that state police are now arresting people for.'
>
> – Attorney Alan Goldman

The cross-state dumping arrangement would be phased out over several years, Wright said.

The agency and the haulers were on the verge of signing the agreement, but the arrests prompted the haulers to refuse to sign until the constitutional issues are resolved.

Goldman said the arrests were staged for the media, but the director of the state Department of Environmental Management denied the accusation.

The owners of Macera Disposal Co. and American Disposal Co. and the drivers were charged with illegally bringing into Rhode Island trash from the Boston area. Two of the drivers also were charged with fraudulently signing affidavits stating all of their load was from Rhode Island.

All have pleaded innocent and are due back in court Dec. 9.

The outright ban on dumping out-of-state trash at the landfill will continue until the new agreement is signed, Wright said.

EPA approves $300,000 for Meddybemps cleanup

BDN 11/22/18

Chemicals, ammunition dumped

MEDDYBEMPS (AP) — The federal government has allocated $300,000 in Superfund money for an emergency cleanup of a site in this eastern Maine town where hazardous chemicals and ammunition from military bases were dumped.

The funds, requested by the state Department of Environmental Protection, will be used to dispose of containers and other materials not already removed by the DEP at the former Eastern Surplus Co. site, said Michael R. Deland, the regional administrator of the Environmental Protection Agency in Boston.

Deland said the money also will be used to analyze the contents of the containers and contaminated soil, and for the excavation and disposal of the soil at an approved disposal site.

"EPA's actions and work undertaken by the state will avert significant contamination to the environment from drums and lab pack containers, which have continued to deteriorate and would certainly not remain intact through another winter," Deland said.

Old ammunition, 140 transformers, 675 55-gallon drums and 1,500 gas cylinders were among the materials dumped at the site during the past 15 years. Many of the drums were leaking and tests revealed the presence of sulfuric acid, toluene and waste oils containing PCBs, Deland said.

"Most of the material at the site is military surplus," and apparently came from bases in Maine as well as other states, Cynthia Bertocci, an environmental specialist with the DEP, said Friday.

The DEP has already fenced in the site and removed about 500 of the drums and all of the transformers and ammunition, she said.

The Meddybemps site is not officially on the Superfund list, but is expected to be included eventually, Bertocci said, adding that the $300,000 was granted on an emergency basis.

Currently, Maine has five Superfund sites — in Gray, Washburn, Winthrop, Augusta and Saco — and the Brunswick Naval Air Station has equivalent status in a separate military cleanup program. A site in South Hope also has been proposed for Superfund status, she added.

Dump eyed for Superfund

AUBURN — Federal Environmental Protection Agency officials said yesterday that NUS Corp of Bedford, Mass., will begin reviewing data next week to determine if a former city landfill qualifies for Superfund money earmarked to cleanup hazardous wastes.

A contract has been reactivited, said EPA scientist Susan Svirsky. And because a preliminary assessment of the Gracelawn Road site made this spring, EPA officials believe additional study is needed, said David Webster, director of Maine sites involved in the Superfund program.

The Gracelawn Road site, which has been used as a municipal landfill and asbestos dump, is located 3,000 feet south of Lake Auburn, Lewiston and Auburn's drinking supply.

A major concern, officials say, is the potential impact of an undetermined amount of industrial liquid waste dumped at the landfill until 1975.

E.C. Jordan Co. of Portland has been retained to test ground water in that area on a regular basis.

eds could require $5m treatment plant for Lake Auburn

By Joel Davison L.S.
Sun staff writer 10-15-86

New federal regulations will could force the construction of a multi-million-dollar plant to treat drinking water from Lake Auburn within five years, the superintendent of the Auburn Water District said Tuesday.

The Maine Water Utilities Association has estimated that such a plant, which Superintendent Normand R. Lamie said he hopes will cost no more than $5 million, may cause water rates to double.

While the district trustees heard a consultant's report that said an ongoing study of the lake and watershed shows the water quality to be nine or ten on a scale of ten, Lamie said it appears the federal government is still going to require "some form of treatment; I just hope it's a joint treatment system" with Lewiston.

While the district trustees heard a consultant's report that said an ongoing study of the lake and watershed shows the water quality to be nine or ten on a scale of ten, Superintendent Normand Lamie said it appears the federal government is still going to require "some form of treatment; I just hope it's a joint treatment system" with Lewiston.

In June, President Reagan signed a set of amendments to the Safe Drinking Water Act which means every public water supply in the country must meet certain regulations for which the criteria will be set in the next few years.

While Lamie said the four-season water study being conducted by Camp, Dresser & McKee of Boston should help sidestep the need for a full treatment plant that was estimated a year ago at cost of about $15 million, he said, "It looks like we'll probably be required to have a minimum level of water treatment which may include filtration."

While the surface-water supply which serves about 75 percent of the Twin Cities' population is currently disinfected with chlorine, Lamie said the new regulations may require dual disinfecting to safeguard against a waterborne parasite called Giardia lamblia.

The symptoms of Giardia, which is linked to more waterborne disease outbreaks in the United States than any other identified agent, include diarrhea, fatigue, abdominal cramps, and possibly other gastrointestinal symptoms that may persist for days up to several months.

The parasite is carried in the intestine of warm-blooded animals from dogs to deer, with beavers being the prime suspects. When the board first discussed the implications of Giardia, it prompted former water superintendent Earle A. Tarr Jr. to say, "If you get it, you wish you were dead."

Lamie said the treatment plant ulations on the turbidity of the water, the level of suspended particles.

"I think we will be impacted by turbidity," said Lamie. "It hasn't been regulated up to now. The (water) study is an important factor, but it won't give us a clean bill of health."

The criteria for requiring treatment of public surface-water supplies are expected to be complete by 1991, but Lamie said it may take longer. "I think you're looking at that as the earliest date."

Assistant Superintendent Bob Palmer said a committee from the Maine Water Utilities Association is now working with the state on its regulations. If those regulations are at least as stringent as the federal Environmental Protection Agency's, the state will be the enforcer of the requirements.

The new regulations will also include scores of contaminants that must be regulated certain standards, such as parts per billion or trillion.

Lamie said there doesn't appear to be any funding help in sight for building treatment plants, but that if sources are developed the water study should help Lewiston-Auburn be near the front of the line.

"I feel somewhere there's got to be some sort of funding available," since money was there to help clean up the rivers, Lamie said. "But there is no funding now available and there's no funding being discussed, although there may be in the future (in which case) I hope Lewiston-Auburn will be in the forefront and will be ready for

Contractor to probe old Auburn landfill

For possible Superfund aid

By Joel Davison
Sun staff writer

11-22-86

"We just started the new Superfund contract back up and (Gracelawn Road) is scheduled to be one of the first site investigations."
— Susan Svirsky of EPA

A federal government contractor is expected to begin reviewing data next week that should help determine whether a former city landfill area off Gracelawn Road in Auburn will be placed on the national Superfund list of hazardous sites.

NUS Corp., of Bedford, Mass.. will be conducting the background work on existing data and probably do its own sampling sometime in December, a spokesperson for the federal Enviornmental Protection Agency said Friday.

"We just started the new Superfund contract back up and (Gracelawn Road) is scheduled to be one of the first site investigations," said EPA scientist Susan Svirsky.

The EPA conducted a preliminary assessment of the site this spring and, according to David Webster, director of the Maine sites under the Superfund program, "the conclusion was that it warranted additional study and the next step is a site investigation."

During a preliminary assessment, all available information on a site is collected and reviewed to evaluate the source and nature of any hazardous substances present and determine if a responsible party can be identified.

The Gracelawn area is the site of former municipal landfills as well as a former asbestos dump, and is of special concern because an undetermined amount of industrial liquid wastes were dumped at the landfill up until 1975. The landfill sits only 3,000 feet south of Lake Auburn, which provides public drinking water to both Auburn and Lewiston.

Svirsky said project manager Robert J. Ross of NUS will be coming to Auburn next week to begin going over data accumulated through regular quarterly monitoring of the ground water in the area by E.C. Jordan Co. of Portland, as well as data from additional tests run at the city's direction.

City engineer Steve Ranney said Friday that when the city found out that the Gracelawn site was being considered for the Superfund list, it ordered more tests from E.C. Jordan and decided against entering into a costly additional testing program because it didn't want to duplicate efforts by the EPA.

"I've heard estimates that the EPA may spend $800,000" in testing the soil, water and air at the site, Ranney planning to be up here the first part of December to go through our files."

Ranney said the EPA will also be using any appropriate information generated through an ongoing four-season study of the Lake Auburn and its watershed Camp, Dresser & McKee consultants from Boston.

Through E.C. Jordan, the city "did a hazardous-substances list round of sampling of five or six wells and also at the intake at Lake Auburn a month or so ago," noted Ranney, who said E.C. Jordan had informed him that the final results "should be out around Christmas. The preliminary (determination) is that they didn't show much."

Results were also made public in January from a preliminary hydrogeologic investigation conducted of the landfill area by E.C. Jordan. According to the study, a bedrock ridge exists along the south shore of Lake Auburn although the extent of the ridge is unknown. Ground water apparently flows to the north, west and south from the disposal sites.

The study recommended that a more-thorough hydrogeologic investigation be conducted to better understand "potential pathways for chemical migration," and that the ground water be analyzed further to identify any potential contaminants and their potential impact on the lake.

Svirsky said the area will get a "standard site inspection," which includes varying degrees of on-site investigations to further determine the extent of the problem and help set priorities, with emphasis placed on the contamination pathways that could affect human health.

The site is then ranked and if it ranks high enough it is placed on the Superfund list.

Svirsky said the boundaries of the site that will be examined has not been determined yet, which means the investigation could be focused on only the lake-side of the road, or both sides.

"In the agency's mind, (Gracelawn) is a site which has still not been

Sewer line to be ready by early December

FILE COPY

BOS IT

By Bruce Hertz
NEWS Somerset Bureau

SKOWHEGAN — The new sewer line on North Avenue should be completed the first week of December, but all of the work in the contract will not be finished by the Dec. 13 deadline.

Representatives of the H.E. Sargent Co. of Stillwater met with the officials of the Skowhegan Community Development Office and the Skowhegan Road Commissioner Thursday.

Randy Gray, Skowhegan Community Development director, said the contract calls for a $250-a-day assessment for runovers. It will be up to the Skowhegan Board of Selectmen to decide on the shutdown date and whether to assess late charges, he said.

The project, which was partially funded by a Community Development Block Grant, started July 15. It was supposed to be completed in 150 calendar days. In the early days of the sewer project, some unplanned-for and unexpected major ledge formations caused delays and hard digging.

The thrust of the project was to install a pipe to provide a runoff for rain water. The bulk of the municipal sewerage would continue to flow through old brick conduits. In the early stages of the digging, the original pipe was crushed, necessitating an alteration in the pipeline. These alterations caused further delays.

Gray said the pipeline will be inspected and checked the second week of December. He expected that winter melting and spring runoff will be caught in the new pipeline. Residents on North Avenue should experience drier cellars from now on, Gray said.

Ray Brown, Skowhegan Road Commissioner, said if the contractor could pave the intersections and driveways, his crews would be able to plow snow on the street during the winter.

In its final push to Chandler Street, the contractor will be using a double crew, according to Tim Folster, area supervisor for H.E. Sargent. George's Market, near the terminus of the new line, has its busiest week of the year next week. The owner asked the contractor and the Community Development office to limit the work to one crew so there would be less disruption.

High PBC levels found at GM dump

L.D. 8-12-86

HOGANSBURG, N.Y. (AP) — A shrew found near a General Motors Corp. landfill contained PCBs levels as high as "I've seen anywhere in the state," according to a state wildlife pathologist who called for the closing of the dump.

Ward Stone, a wildlife pathologist with the state Department of Environmental Conservation, said the GM's Massena Central Foundry landfill is polluting the St. Lawrence River and the St. Regis Mohawk Reservation, which it abuts on the border of St. Lawrence and Franklin counties.

Stone and tribal leaders demanded on Monday that GM cease operation of the eight-acre dump.

"It is evident that PCBs and other chemicals are leaving the GM site," said tribal chief Rosemary Bonaparte. "We are becoming increasingly concerned for the health of the Mohawk people."

"The river is the heart of Akwesasne," Stone added. "Mohawks utilize the river as a source of protein," he said, adding that "much of what the people are eating is unsuitable for human consumption."

According to Stone, the sample of the shrew contained over 11,000 parts per million of PCBs, or polychlorinated biphenyls.

The federal government has ruled a chicken with more than 3 parts per million of PCBs, which has been linked to cancer in laboratory experiments, is unfit for human consumption.

General Motors, which announced last week that it was eliminating all but 100 of 1,329 jobs at the Central Foundry operation, maintained Monday that it is only using the landfill to dispose of spent foundry sand.

"I was out there last Thursday," said GM spokesman David Lippert. "All that's going into that landfill is sand — about one truckload a day."

"GM is still operating the landfill," countered James Ransom, tribal council environmental health consultant. Ransom said a request had been made to the federal Environmental Protection Agency to discontinue use of the landfill and cap it immediately as an interim measure.

Utilizing a color slide presentation, Stone said Monday that "fresh material" is being dumped at the site. He showed slides of pipes and oily substances going into the site.

"Within a seven-day period, the dump grew by 15 feet," Stone said.

Henry Lickers, director of the Canadian St. Regis Environmental Division, stressed the problem "doesn't only affect Mohawk people. Fish and game clubs should also be concerned with the levels of contaminants," he said.

The GM landfill site was named to the EPA Superfund list in 1983 as a hazardous waste facility. GM and EPA are proceeding to investigate the landill as part of the Superfund program.

Landfill-samples data arrives for evaluation

L.D. 8-12-86

AUBURN — A package of information on dioxin-containing ash samples taken from the Danville landfill site arrived at the Centers for Disease Control in Atlanta late this morning, where it will be evaluated for public health risks.

Cathy Stout, secretary at CDC's Agency for Toxic Substances Disease Registry and the person who logs in any packages from the U.S. Environmental Protection Agency, said late this morning that the package will be assigned to a branch of the Health Assessment Division "sometime within the next day."

Stout said that once the package is assigned, the Health Assessment branch will then contact the federal EPA to discuss its reasons for sending the package and to set a priority date for the evaluation.

Maine People's Alliance President Cathy Hinds said this morning that she spoke with the head of the health assessment branch of the ATSDR in Atlanta and was told he had no idea what was in the package but that "it was not a particularly large packet" and that "it shouldn't take as long as some evaluations."

A scientist for the federal EPA yesterday has confirmed that two types of dioxin have been found in ash samples taken from the Danville landfill. The samples were taken as a follow-up to a site investigation conducted by the EPA last year.

The EPA agreed to the site investigation after people living near the landfill, and the Maine People's Allliance, expressed concern that the site could be a source for heavy metals that could contaminate the ground water and wells.

When asked how long it would take to determine if any health risks existed, Stout said, "It just depends on what they're requesting and what priority they give it."

Auburn council to hear report on landfill

AUBURN — Relatively high levels of water hardness and chloride content have been detected in a monitoring well at the ash landfill in Danville, according to a report from E.C. Jordan Co. to be reviewed by city councilors Monday.

The Portland engineering firm, which works under a contract with the city, monitors the wells quarterly at the landfill, which accepts bottom ash from the city's energy-recovery facility.

Paul C. Smith, an environmental technician with E.C. Jordan, sent the laboratory analysis of surface water, ground water and leachate samples collected at the site on March 24, although he said the data summary report further explaining the results is not yet available.

Smith said the analysis results "show that most locations remained well within their historical levels."

He noted, however, that one well was at the upper limit of acceptability for both water hardness and chloride content, but added that the findings "have no impact on water quality at present levels."

The council, which meets at 7:30 p.m. in the City Building, will also be asked to:

- Approve the sale of two lots in the industrial park of the Auburn-Lewiston Municipal Airport to Damon Insulation Co. and Morrissey Asbestos Abatement Co.
- Give initial approval to a comprehensive zoning map of the city that has been revised by the Planning Board to resolve inconsistencies resulting from a 1985 lawsuit against the city.
- Approve the issuance of a note for $84,000 to finance a water-main extension on outer Minot Avenue.
- Give initial approval to a zoning-map amendment reclassifying land on the west side of Riverside Drive, between Jordan School Road and the Durham line, from Agriculture and Resource Protection to Rural Residence to allow petitioners Robert and Helen Foss to build a farm.
- Approve a resolve authorizing the city clerk to issue victualer licenses to non-profit organizations at no cost if so requested.
- Approve the issuance of tax-anticipation notes up to $3 million.
- Authorize the Department of Community Development and Planning to apply to the Maine State Housing Authority for $164,650 in federal Department of Housing and Urban Development funds to be used in the city's rental rehabilitation program.
- Review a nine-signature petition requesting that "I" Street at Taylor Pond be renamed Everett Road.
- Approve an order declaring a burned-out building at 71 Pleasant St. a nuisance that must be removed.
- Review a request from eight city residents asking that Melvin Street, an unaccepted street off Poland Road, be tarred to alleviate a problem they say they have with erosion.
- A public hearing for a liquor license requested by Bagels and Things Inc., 213 Center St.

Dirty air here?

Dirty air in Gardiner, Maine? How could it be?

We apparently can thank our more industrialized neighbors to the south and west for the relatively high levels of smog that Gardiner and the rest of southern Maine experience. While federal environmental officials were warning this week that Gardiner will not meet federal clean air standards at the end of the year, the state was wondering what to do about a problem that begins out of state. It is strongly reminiscent of the acid rain-pollution which also bombards the Northeast — for which the federal government under Ronald Reagan has been no help.

Gardiner is the ozone measuring point for the entire region, which means all of the Kennebec Valley is affected. Whatever the source, unhealthy ozone levels are just as present in Maine, on some days, as in industrialized New Jersey or Pennsylvania.

Even if the air pollution is not of our own making, there may be some nasty side effects. Federal officials warn that highway projects may be blocked. Construction that could add to air pollution may be stopped.

There are some plans now under study that could further reduce smog problems in the state. But the real answer is in vigorous enforcement of federal air quality rules across the board, so dirty air originating elsewhere doesn't get here at all.

DeCoster Egg Farm ordered to dispose of dead chickens

AUGUSTA (UPI) — Attorney General James Tierney says he will bring suit against a local egg farm unless the farm properly disposes of the carcasses of as many as 200,000 dead chickens.

Tierney wrote to Austin J. DeCoster, owner of DeCoster Egg Farm, on Thursday, two days after the decaying carcasses were found at several illegal dump sites on the DeCoster property in Turner. Tierney demanded that the carcasses be removed by June 2.

"If the material is not removed before Tuesday, June 2, we intend to seek injunctive relief in Androscoggin County Superior Court immediately thereafter," Tierney said.

The chickens were killed earlier this year when fire swept a large chicken barn at the egg farm. The chicken carcasses and burned chicken cages were found at four unapproved dump sites on the Decoster property.

Officials said the sites also contained quantities of pesticides, along with junked cars and trucks and other refuse.

Auburn trash to be removed from watershed

By Joel Davison
Sun staff writer

AUBURN — The owner of land in the Lake Auburn watershed where several large piles of trash were found this week said he will soon begin hauling the debris away.

But both city officials and Sam White, owner of the land used by H.E. Callahan Construction Co., Turner Road, said much of the material may be allowed to remain at the site if state environmental officials approve.

The company "had operated a disposal site there for construction debris," said Public Works Director Robert Belz, "but about two years ago, for the most part, they had ceased using that site."

But Belz said more dumpings occurred there apparently last fall. "Some of it's private waste, and it didn't come from Callahan. But they recognize that it's their property.

"As far as I'm concerned, though, not all that material has to be removed because a lot of it is common excavation," Belz said.

White agreed, saying he and Belz "had reviewed the site and the conditions. There are some white goods (appliances), tires and furniture-type items that we both concurred should be removed, and they will be. But it's very apparent that the bulk of it is wood, bricks and excavation material."

Belz said the excavation material could remain and be secured with a clay cap, although the decision won't be final until agreed upon by enforcement personnel in the state Department of Environmental Protection's land-quality bureau.

"We don't want to settle on one level of abatement and then (the state) have another," Belz said.

He said White "has been very cooperative. He didn't realize it was an illegal activity."

Belz also noted that he's sure the household garbage dumped there in plastic bags is not from the construction company because an inspection showed that it contained mail bearing one woman's name. But she cannot be held liable due to a lack of proof that she actually dumped it.

"There are two reasons while I believe" Callahan was not responsible, said Belz, noting that the road where the site is located "goes through to Maple Hill Road and until a little while ago you could drive through."

"The other reason is that frequently an employee will go up there and leave the gate open so there was no continuous supervision of the site during the day," he said. "Now they will see that the gate is closed."

Acting City Manager Paula R. Valente said the one responsible for dumping the trash "is an issue, but a more important issue is cleaning it up."

The illegal dumping off Turner Road was spotted by Donald J. Bernard, who owns land in the area. He reported it to city officials and The Sun.

Continued from Prev. Page.

Planning Board member Nancy Rohrer said that the engineer hired by Camplin had said Sentry Hill Road is too narrow and steep for two-way traffic, but that the town would be opposed to making that road one-way. She also noted that the road lacks adequate shoulders, has poor "sight distance," and lacks proper drainage and snow storage areas.

Attorney Dale told the board he would prefer to be turned down altogether, rather than have the project back before the Planning Board. "Just vote us down and we'll take the next step," he said.

•The board refused to hear an appeal from James Pidgeon of York, half-owner of property on North Village Road near Clay Hill Road. He was notified by town officials that his house violated zoning ordinances in July 1986, and filed an appeal in December, which was reportedly not received by the board. The board ruled that the appeal was not made in time.

•The board denied an appeal of an interpretation of the York Beach zoning ordinance sought by Craig Schiefer. He sought approval for a duplex now classified as a single-family home.

•The board also granted a variance to Cathy Marden Anderson for a single-family home on a dirt road off Shore Road.

More trash discovered in Lake Auburn watershed

By Joel Davison
Sun staff writer

LDS 5/21

AUBURN — Several more piles of trash have been discovered in the Lake Auburn watershed about 1,500 feet from another illegal dump site that was found late last week, The Sun learned Wednesday.

"I went up there with (Public Works Director) Bob Belz just before noontime and there's garbage and debris on the southwesterly side of the other location," said Water District Supt. Normand R. Lamie, who said the heap measures approximately 100-by-20 feet.

Donald J. Bernard, who notified officials of the first dump after it was spotted by a jogger, said Wednesday that he located the new illegal dump while on a walk behind his land.

Bernard said he called Belz and took Belz and Lamie to the site, which is located behind a locked gate off Turner Road. Bernard said they got past the gate after he obtained a key from H.E. Callahan Construction Co.

Acting City Manager Paula Valente confirmed that, "We know it is located on land owned by H.E. Callahan, that has been determined, and we're trying to reach them to discuss it."

There was no indication who had dumped the trash on the property. City and state regulations ban dumping within a watershed. Lake Auburn provides drinking water for the Twin Cities.

A reporter's call to the construction company was not returned Wednesday afternoon, and The Sun was unable to reach Belz Wednesday afternoon.

Lamie said the state Department of Environmental Protection "is being contacted and (the company) will be requested to clean it up."

He added that the illegal trash site involves "a number of truck loads of debris in an embankment area on the other side of a gravel pit" where the first trash piles were found.

Joan Jones, an environmental services specialist with the DEP's land quality bureau, said, "Generally, what we do in these cases is speak to whoever is responsible and have them clean up the site. The first step is informal enforcement to see if we can get it cleaned up in a reasonable time."

If voluntary compliance is not forthcoming, Jones said, the process usually moves to a consent agreement where the DEP states in writing what must be done and a fine is assessed. If the trash is still not removed, Jones said, the matter is passed on to the attorney general.

"There's a sequence of events that we generally go through before we take them to court," she said.

Lamie said the debris includes building demolition, old tires, some 55-gallon drums with undetermined contents, plastic bags, "business trash" and even a mailbox. He estimated the trash is 1,000 feet from Townsend Brook, which feeds the north end of Lake Auburn.

The superintendent said stricter regulations for proper disposal may mean more and more illegal dumps will be found.

"There are a lot of nooks and crannies, and with the pressure being put on municipal landfills and the fees associated with disposal of trash and building demolition I'd say we'll see an increase of (such dumps) going into areas they should not," Lamie said.

Valente echoed Lamie, saying, "It's definitely a problem, particularly in a city the size of Auburn with the land area we've got. Effective monitoring and enforcement in this area is next to impossible."

But Lamie said he hopes publicity on the trash heaps "will put people on notice that we're looking for it.

"We'll be assisting the city in whatever efforts we can," Lamie said.

The first pile of debris was comprised of building demolition material and was located on land owned by Gendron Gendron general contractors of Lewiston. The company removed the trash the day after The Sun ran a story and photograph on the issue, but owner Del Gendron said he had no knowledge of how the trash got there.

Illegal Auburn trash dump hauled away

AUBURN — Several truck loads of building demolition material dumped illegally in the Lake Auburn watershed were cleaned up Monday morning by the Lewiston contractor who owns the land, but the city's public works director said he is still trying to determine the dumper's identity.

Del Gendron, owner of Gendron & Gendron general contractors, Lewiston, said Monday he not know who was responsible for the dumping.

Gendron "was into the office at the highway garage early this morning and spoke with the superintendent about taking the material to the city's building demolition area," said Public Works Director Robert Belz on Monday.

"I went out there and the place was clean," he said.

Belz said he then went to the demolition dump to examine the debris and said it looked like a residential building and that such demolition "is most likely done commercially. I feel whoever is responsible is a contractor.

"I'm going to kind of spot check a few locations to try and determine where it came from," Belz said. He said it looked like 18 to 20 truck loads of debris that was probably dumped at the location last fall.

Gendron told The Journal that he suspected he might be the victim of the dumping after seeing a story and photograph in The Sun on Saturday.

While Gendron said he put up a gate about a year ago to protect the area, which is the site of sand and gravel pits owned by Gendron and H.E. Sargent paving contractors of New Gloucester, Belz said he believed either a gate or cable has confined the area for two to three years.

Land owner clears up illegal debris from pit

By Linda Galway
Journal reporter

AUBURN — Demolition debris illegally dumped at a gravel and sand pit near Lake Auburn has been cleared away by the owner of the land, who suspected he might have been the victim after reading a newspaper article about the stashed trash.

Del Gendron, owner of Gendron & Gendron general contractors, who promptly put up "No Tresspassing and No Dumping" signs, said this morning he decided to "clear it up," adding "those responsible will have to pay for the clean-up." The piles of rubble were found Friday by a jogger.

Gendron got his crews working by 8 o'clock this morning after checking in with Public Works Director Robert Belz. Gendron said he installed a gate barring access to the pits about a year ago and believes the dumping occurred some time before that.

"We own over 500 acres of land in Lewiston, Auburn, Lisbon and Sabattus, and wherever possible we have a gate up to stop people from dumping on our land," he explained, adding there's no way he and his men can police the area at all times.

The incident is not an isolated one for him, he said. "Since Lewiston and Auburn started charging to dump (this type of material) and the hours are not (as convenient), people just dump on other people's land."

As the owner, Gendron is responsible for the clean up, said David Hewitt, an agent with the State Department of Environmental Protection's land quality bureau.

"The main thing is to make sure it's cleaned up," he said, adding, "we do take enforcement action against those who know the laws and (intentionally defy them)."

Gendron said he's been keeping an eye on the acreage he owns and plans to investigate the situation.

"Once we find out who does this, that person will be prosecuted. I will bring charges, and they'll have to pay for the ones we cannot catch."

AND THE KITCHEN SINK — Donald J. Bernard surveys the piles of illegally dumped rubble that were discovered this week near his property off Turner Road. Russ Dillingham-/*Sun staff.*

Trash dumped illegally near Lake Auburn

By Joel Davison
Sun staff writer LDS 5/16

AUBURN — Several truck loads of demolition material have been illegally dumped on a hill overlooking a brook that directly feeds Lake Auburn, The Sun learned Friday.

A jogger reportedly found the waste heaps near some gravel pits off Turner Road and alerted Donald J. Bernard, owner of nearby Skindiver's Paradise. Bernard contacted The Sun after investigating the claim himself. City officials say the dumping violates state and city regulations.

"It's been there awhile because the wood is all weathered the same way," said Bernard. "It was either dumped early this spring or late last fall."

The material appears to be the remains of a house with bright blue siding, and the debris includes chunks of concrete, rusted sewer pipes, electrical wiring, insulation, a rusted radiator and even what's left of the kitchen sink.

The debris is located on a high hill above Townsend Brook. The brook feeds into the north end of Lake Auburn, which supplies drinking water to most of Lewiston-Auburn.

The Sun was unable Friday to determine the owner of the land.

Bernard contacted Public Works Director Robert Belz who said Friday he had not yet been to the site but would be checking on the claim next week. Bernard said he also contacted an enforcement agent in the state Department of Environmental Protection's land quality bureau. The Sun could not reach the DEP agent late Friday afternoon.P

"It's not that we get city water, but we may some day," said Bernard, who is a former state senator and representative as well as a former city mayoral candidate. "I was always concerned about the environment and that was one of the platforms I rode herd on. That kind of thing should not be allowed to happen in Auburn."

Belz confirmed that such dumping is against both local and state regulations. "That whole area drains into the lake," he said.

"There are a number of laws that could apply to this," said Belz. "One of them is filling without a permit — other municipal enforcement could come under the Health Department.

"But the state law for disposing of waste in an unregulated area would probably get the most action the quickest," Belz said.

The city has a special dump on the Gracelawn Road for disposing of brush and demolition material, and Belz said city ordinances disallow dumping it elsewhere.

But Belz said past discussions with City Solicitor G. Curtis Webber have shown that it is hard to enforce the local ordinance unless someone actually saw the dumping occur. He said state law is less restrictive and would mean going after the property owner.

He said the DEP would probably first ask for the owner to clean up the debris voluntarily. "If they wait, then there are fines," according to Belz. "I'll check into it Monday."

Acting City Manager Paula R. Valente and Water District Supt. Normand R. Lamie both said Friday that they had not heard about the dumping.

"It's obviously something I would want to talk to (Belz) about," said Valente.

Lamie said he was "absolutely concerned. I certainly will be joining efforts with city officials to look into the matter."

Landfills almost closed

By Michael Lopez
Journal reporter LJ 6/4

AUBURN — The city is nearly finished closing a Gracelawn Road landfill where waste was dumped for four years while the steam plant was not yet burning garbage.

At the same time, an asbestos removal contractor is almost through closing an adjacent landfill, nearly two years after a fight with the city about his share of the responsibility for shutting it down.

Both the city and the contractor have the "crucial aspects of the closing" done, said Clifton Eliason, an environmental services specialist at the state Department of Environmental Protection.

The city began dumping waste there in 1977, and stopped using the site in 1981.

Auburn also dumped ash there during the first three months the steam plant was in operation. A Danville site now serves as the city's ash landfill.

The city administration also allowed Richard Buerhaus, an asbestos removal contractor, free use of the landfill as long as he paid closing costs.

Buerhaus and the city eventually battled about the terms of that agreement. City councilors believed Buerhaus reneged on a deal they said required him to assume the entire cost of the closing.

That dispute delayed closure, Eliason said.

Now, both Buerhaus and the city have put a final clay cap on the six-acre dump, which Eliason said will reduce runoff from soaked waste and prevent asbestos from entering the atmosphere.

The DEP's "overriding concern" is that both the contractor and the city spread top soil and plant grass seed to ward off the erosion that already has started, Eliason said.

Because the landfill was left uncovered for so long, leachate, or underground runoff from the garbage, will occur for some time.

Gas vents, which are plastic tubes installed underground, act as outlets for any methane gas deposits that could cause an explosion. "There didn't seem to be any danger at all of asbestos exposure," Eliason said.

The city should have the site seeded before the end of the month, said Public Works Director Robert Belz.

"There's very little left to be done," said Belz, who scheduled a completion date of June 15 for closing the dump. Highway workers are cutting brush, spreading loam and grading the landscape, he said.

The project has cost Auburn about $75,000, including costs for labor and equipment.

The city and the state are holding ongoing talks about the possibility of adding monitoring wells — one of the conditions when municipalities open a landfill, Belz said.

The wells, used to check groundwater for potential contamination, could be added to monitor any of the sites in the Gracelawn Road area. A dump for tree stumps and brush, and another closed municipal landfill, are located on Gracelawn Road.

"At this point, it is assumed we need additional wells," Belz said. The city has put off that project until the federal government determines whether the old landfill is eligible for Superfund cleanup money.

Several wells could cost between $50,000 and $60,000, Belz said.

DeCoster cleanup under way

TURNER (AP) — As the cleanup of more than 100,000 chicken carcasses and fire debris continued at the DeCoster Egg Farm, Maine environmental officials planned to inspect the site for suspected illegal dumps.

Department of Environmental Protection officials who toured the western Maine farm recently said they found drums of oil and chemicals among other refuse in what they consider four possible illegal dumps.

DEP Commissioner Dean Marriott said a general inspection of the Turner farm is planned for this week.

The Maine Attorney General's office obtained a court order Tuesday giving owner Austin DeCoster 10 days to clean up piles of thousands of dead chickens and other fire debris. Neighbors had complained that the piles were crawling with vermin, and posed a threat to public health.

DeCoster said Friday as the cleanup began that overall he is "pretty proud of the housekeeping on my farm. With over 2 million laying hens, it looks pretty good."

"But there are a few problems, like the junkyard. I'm ashamed of that," he added.

Compacting the fire debris, which includes old cages and manure along with the chickens killed in fires last March, is expected to take about four days, DeCoster said. He said efforts to find a landfill to accept the debris have been unsuccessful so far, with refusals from dumps in both Maine and New Hampshire.

DeCoster said he is now checking Massachusetts dumps, and is planning on storing the compacted waste temporarily in a garage where it can be sealed off and sprayed regularly for flies.

FIT ZONE I CONTRACT
CONTRACT NO. 68-01-7346
TECHNICAL DIRECTIVE DOCUMENT (TDD)

1.A. COST CENTER: Region I	2. NO.: F1-8611-17
1.B. ACCOUNT NO.: $375ME11SI	2.A.: ☒ NEW ASSIGNMENT ☐ AMENDMENT

3.A. PRIORITY: ☒ HIGH ☐ MEDIUM ☐ LOW	4.A. ESTIMATE OF TECHNICAL HOURS: 400	5.A. SSID NO.: XXX	6. DESIRED REPORT FORM: ☐ FORMAL REPORT ☐ FORMAL BRIEFING ☒ LETTER REPORT ☐ OTHER (SPECIFY):
		5.B. EPA SITE NAME: Gracelawn Landfill	
3.B. KEY EPA CONTACT: NAME: Susan Svirsky PHONE: 565-3661	4.B. ESTIMATE OF SUBCONTRACT COST: 400	5.C. CITY/COUNTY/ STATE: Auburn,ME	7.A. START DATE: 11/03/86 7.B. ESTIMATED COMPLETION DATE: 5-30-87

8. TYPE OF ACTIVITY:
☐ PA ☒ SI ☐ ESI ☐ HRS SUPPORT ☐ QA SUPPORT ☐ SPECIAL STUDIES
☐ ENFORCEMENT SUPPORT ☐ TRAINING ☐ EQUIPMENT MAINTENANCE
☐ GENERAL TECHNICAL ASSISTANCE ☐ PROGRAM MANAGEMENT

9. GENERAL TASK DESCRIPTION:
Perform a Site Inspection of the Gracelawn Landfill in Auburn,ME.

10. SPECIFIC ELEMENTS:
1. Conduct background research
2. Prepare a Task Work Plan to be reviewed in-house and by the EPA RSPO.
3. Conduct sampling if necessary
4. Analyze samples in-house for metals, PCBs, and/or volatile organic compounds.
5. Prepare a letter report, EPA form 2070-13, and draft HRS Scoring package.

☐ ADDITIONAL SCOPE ATTACHED

11. INTERIM DEADLINES:

12. COMMENTS:
Overtime Approved

13. AUTHORIZING: ☒ RPO ☐ DPO ☐ PO (SIGNATURE)	14. DATE: 11/03/86
15. RECEIVED BY: ☒ ACCEPTED ☐ ACCEPTED WITH EXCEPTIONS (ATTACH) ☐ REJECTED (CONTRACTOR FITOM SIGNATURE)	16. DATE: 11/04/86

SHEET 1 WHITE-FITOM COPY
SHEET 2 GREEN-PROJECT OFFICER'S COPY (WASHINGTON D.C.)
SHEET 3 CANARY-RPO COPY
SHEET 4 PINK-ZPM COPY
SHEET 5 GOLDENROD-CONTRACTING OFFICER'S COPY (WASHINGTON D.C.)

TO: Grace Lawn - Auburn

OFFICE MEMO

PROJECT NO.: _____ STAFF: R Hewett DATE: 3/12 + 13/87

SUBJECT: _____

WITH: Sherri Kasten - NUS

DESCRIPTION

3/12/87
at 2:00 - busy

3/13/87

- asbestos documents from land Bureau ~ 3 inches thick - letters not always specify volume deposited at asbestos landfill area ∴ take a lot of time to figure out + total to volume.

- Clif Eliason - Land Bureau - is to copy the map of the asbestos Landfill + I in turn will send a copy to Sherri - can estimate the volume by total area.

* - SI + HRS should be out in ~ 3 weeks - going thru in-house review, any correction or clarification will be made, then sent out to public + DEP.

SKETCHES

Sherri Kasten
NUS
19 Crosby Drive
Bedford, MA
01730

- Sherri already has a copy of the Leo LaRochelle letter dated 3/2/88.

TO: Auburn - Grace Lawn Landfill

OFFICE MEMO

PROJECT NO.: _____ STAFF: R. Hewett DATE: 2/25/87

SUBJECT: _____

WITH: Sherri Kasten NUS – (617) 275-2970

DESCRIPTION

- not much luck in obtaining volume of waste disposed of at the site. I checked with BOHMC - L+E units + with Mike Mullen, Mark Hyland, + Cliff Eliason of the Land Bureau.
- Sending a copy of a 3/2/78 letter to Leo LaRochelle from Richard Tosch of DEP.
- Also, will speak to Cliff E. + get figures on the amount of asbestos in the dump. + send the info to her. too
- Spoke to Cliff + he will be looking the volume info on asbestoes up + getting it to me. - 2/25/87

SKETCHES

TO: Grace Lawn Landfill - Auburn

OFFICE MEMO

PROJECT NO.: _____ STAFF: R. Hewett DATE: 2/20/87

SUBJECT: _____

WITH: Sherry Kasten NUS in MA. (617) 275-2970

DESCRIPTION

- Interested it type and volume of disposal of Haz. waste at Gracelawn landfill. She is working on documentation to the HRS.
- Companies of interest - from a news article are:
  1. Pioneer plastics
  2. GE (chromium sludge)
  3. Jones + Vining (chlorinated solvents)

-I will find out what info I can and get back to her. ASAP.

SKETCHES

On 6/2/86 -(Belz, Ranney, & Morrison - Auburn City officials) stated that this letter is referring to the old land fill that was capped, next to the city garage on Gracelawn Ave. Ball fields are presently located over the old land fill.

FILE COPY

STATE OF MAINE

Department of Environmental Protection

MAIN OFFICE: RAY BUILDING, HOSPITAL STREET, AUGUSTA
MAIL ADDRESS: State House Station 17, Augusta, 04333

JOSEPH E. BRENNAN
GOVERNOR

MEMORANDUM

KENNETH C. YOUNG, JR.
COMMISSIONER

TO: Auburn Landfill File

FROM: Rebecca L. Hewett, BOHMC

DATE: June 3, 1986

RE: June 2, 1986 meeting held at E.C. Jordan, Inc.

** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** **

On June 2, 1986 at about 10:00 AM, I arrived at E.C.Jordan, Inc. (ECJ) in Portland and met Susan Svirsky (EPA), Dale Mosher (ECJ) - retained by the City of Auburn, and Auburn city officials - Charles Morrison (City Manager), Steve Ranney (City Engineer), and Bob Belz (Public Works Director). Susan asked for a copy (of which I gave her) of the 1978 letter to Leo LaRochelle concerning hundreds of 55 gallon drums located at the old landfill site. Susan gave the letter to Morrison to read and specify which area the letter is refering to. Morrison stated that the area in question is the old landfill on Gracelawn Ave. next to the municipal garage which has been clay capped and is the present location of a playground and ball fields (see attachment A).

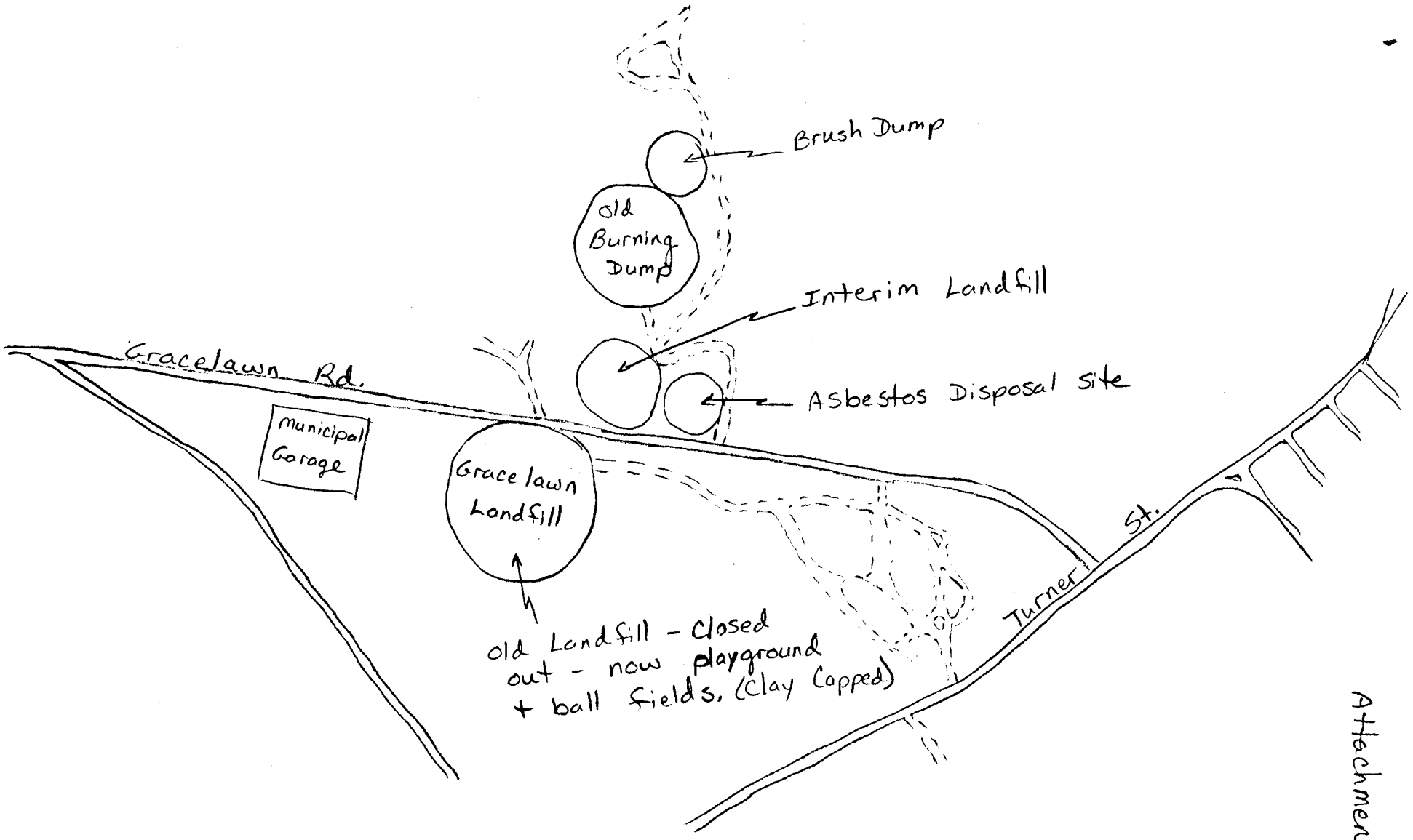
NUS Corporation is planning to conduct a Site Inspection (SI) at the Gracelawn Landfill site. The SI will consist of a thorough round of sampling and a compiling of all information available on the site. The City of Auburn was planning to conduct a study of the site area but has been advised and has decided not to, since NUS is planning to conduct their own thorough and complete study. The site also needs to be ranked using the Hazardous Ranking System (HRS). The City of Auburn has reservations about and would prefer that the Gracelawn Landfill site not be placed on the National Priority List (NPL). One reason being, the sites proximity to the municipal water supply - Lake Auburn - is approximately 1/2 mile away as the crow flies. Morrison plans to speak to the Auburn Water Dictrict about using the Priority Polutant List (PPL) as a conprehensive list of compounds to use when testing the municipal water supply for the water quality until the NUS study is complete.

The Auburn Ash Landfill was breifly discussed. The dioxin sample results (samples collected April 8, 1986) are in but need to be VALIDATED. Therefore, it will probably be another month before the results are made public. Susan will discuss the possible hazards of the dioxon levels of the validated test results with the Center of Disease Control (CDC) and communicate the findings to the City of Auburn and the DEP.

Lastly, Susan brought up the possible existance of another site in Auburn, near Wendy's (a fast food joint) on Center Street in Auburn. The site is the location of an open burning dump used in the 1920's and filled in during the 1930's. There presently exists a trench which appears to contain leachate (reddish tinted water). NUS - EPA personnel noticed the area while eating at Wendy's one afternoon. The city officals stated that the area is still settling and that during construction, Wendy's had settling problems with the foundation.

Auburn Landfill

Attachment A.



Map copied from a map in a E.C. Jordan report 10/85.
6/3/86 - R.I.H.

TO: Auburn - Gracelawn

OFFICE MEMO

PROJECT NO.:_____ STAFF: R. Hewett DATE: 2/6/87

SUBJECT:_____

WITH: Lee Bishop (Attorney in Mass - for land-owner in Auburn)

DESCRIPTION

- Interested in studies performed by CDM + ECJ. on Gracelawn Landfill in Auburn. Got info from Lewiston Daily Sun Article.

- Has spoken to EPA - Susan Suirsky - Robert Ross of NUS is gone!

- I Gave him Auburn City Engineer - Steve Ranney - office address and telephone #.

- will call again if runs into problems.

SKETCHES

Who runs Land fill ?

- Owner
- operator.

Any Private wells in area or is everyone on public Water?
not is made ls drainage area.

What + exactly where is Pioneer Plastics dumping? why allowed

Any monitoring (wells) between individual areas of disposal
NO

Who uses landfill ? whose waste is disposed there?
Stopped → Muncipe Landfill (waste). Presently only
stump dump used, + Pioneer Plastic.

What is allowed dumped there?
Municipe Waste is now incinerated + hauled to
Danville.

Years of operation? -

Meeting at E.C. Jordan, Inc. 6/2/86
w/ Dale Mosher - ECJ.
Susan Suirsky - EPA
City of Auburn Reps. - Chip Morrison, Steve Ranney, + Bob Belz.
Rebecca Hewett - DEP.

1978 Letter - the old landfill is where the present playground & ball parks are located. - where drums are to have been buried - also probably more stuff buried - used since the 1940's.

NUS is to do the Site Inspection - SI

What do we do next.
- SI
- Sampling round - not sink new wells
- Take confirmatory samples & get Jordan's info

The Landfill took everything - Municipal waste.

(Ash Landfill - latest sampling (4/8/86) - higher levels of dioxin found than the last time - but ~~or~~ results have not been Validated Susan will check w/ Center of Disease Control (CDC) Rep. to interpret result haz.)

Need to rank the Grace Lawn site w/ HRS

Wendy's on Center St. – possible new site
open burning dump – Lagoon used in
the 1920's; filled in in the 1930's
An existing trench appears to contain
leachate (Reddish tint to water).

Wendy's on Center St. - possible new site
open burning dump - Lagoon used in
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An existing trench appears to contain
leachate (Reddish tint to water).

STATE OF MAINE
Department of Environmental Protection

MAIN OFFICE: RAY BUILDING HOSPITAL STREET AUGUSTA
MAIL ADDRESS: STATE HOUSE AUGUSTA 04333

Henry E. Warren
COMMISSIONER
289 2811

ADMINISTRATIVE SERVICES:
289 2691

BUREAUS:

AIR QUALITY CONTROL
289 2437

LAND QUALITY CONTROL
289 2111

WATER QUALITY CONTROL
289 2591

OIL POLLUTION CONTROL
289 2591

REGIONAL OFFICES:

31 CENTRAL STREET
BANGOR 04401
947 6746

415 CONGRESS STREET
PORTLAND 04101
775 6587

634 MAIN STREET
PRESQUE ISLE 04769
764 3737

OIL POLLUTION CONTROL
40 COMMERCIAL STREET
PORTLAND
773 6491

OIL SPILL REPORTS ONLY
(TOLL FREE) 1 800 482 0777

CITIZENS' ENVIRONMENTAL
ASSISTANCE SERVICE
289 2691
(TOLL FREE) 1 800 452 1942

March 2, 1978

Leo LaRochelle
Auburn Public Works Director
Auburn, Maine 04210

Dear Mr. LaRochelle:

A routine inspection of the Auburn landfills has indicated that there presently are hundreds of 55 gallon drums dumped at the old landfill site. These drums for the most part appear to be deposited there by Pioneer Plastics of Auburn. I have enclosed a list of some of the chemicals identified as having been contained in these drums. At least some of the drums have been filled to some extent, as a resinous material has been spread over a portion of the landfill site. This material is most probably Bakelite Phenolic Resin.

Proper disposal of these materials should follow a procedure whereby the materials contained in these drums are encapsulated in the 55 gallon drums. The drums should be sealed adequately, and these drums should be placed in an isolated section of the landfill. Precautions should be taken to prevent spillage before landfilling.

As you know, these materials are not allowed to be landfilled at the existing interim site. This Department understands that the old landfill will be closed out and seeded this spring. This will create a situation where Auburn industries will have to dispose of their hazardous materials in some suitable fashion other than using the City's facilities. I trust that you have brought this fact to the attention of Auburn Industries.

Either each industry must develop its own landfill site in accordance with Department approval, or a approved regional site will have to be developed to accomodate these Industries, or suitable materials handling firms will have to be contracted to handle these wastes.

Please contact those industries which you feel will be affected by the limitations imposed on the Auburn landfills.

A meeting, perhaps can be established, with representatives of affected industries, the City of Auburn, and Division Staff to discuss disposal alternatives. Feel free to call me at 289-2111.

Sincerely,

Richard Tosch, Assistant Engineer
Division of Solid Waste Management

RT/ln

Materials Identified
at the Auburn Landfill
(old site)

Bakelite Phenolic plastic BLSA 3012.
Mfg: Union Carbide
Warning: Skin irritation; fatal if swallowed; flammable; store below 0°F

Arofene 295-E. 50 596-420
Mfg: Ashland Chemical
Warning: Harmful if absorbed through skin

Triethylenetetramine
Mfg: Dow Chemical
Warning: Severe burns - corrosive - sensitizer

Diethylaminoethanol - 129
Mfg: Penwalt
Warning: severe burns - corrosive - harmful when swallowed
absorbed through skin

Vinyltoluene
Mfg: Dow Chemical
Warning: flammable - eye irritant

2/6/86

Charles

meeting at Auburn City Hall Building

Chip Morrison - City Manager
Steve Ranney - City Engineer
Bob Belz - Public Works Director
} Auburn City officials

Mark Hyland
Florence Hoar
} DEP Land Bureau

Rebecca Hewett - DEP C+H Bureau

- ~ 1978 Gracelawn Landfill was closed out (opened in 1964) it is now a Playground over clay cap.
- Municiple Garage (west) left of above Landfill.
- Asbestos disposal site - needs to be closed out. - supposedly was to have a clay cap before Asbestos was to be dumped over the Interim sanitary Landfill + Auburn Landfill. Landfill was to be closed out with a clay cap + then used as asbestos dump. Started to stock pile clay but the hauling of asbestos began before city finished clay cap ∴ never completely capped.

Purchase add'l $ of closing- He + City Prob. Both Responsible for not closed out.

- Pioneer Plastics (for ~5 years) has been stock piling Pionite Dust (dumping)
- Old Burning dump - Presend Sand/Salt stock pile pit. (1943± to 1964) - has never been properly closed out.
- Mark thinks that would be best to close out whole area.

Lake Auburn Elevation is ~260'

- City owns municiple garage, Gracelawn Landfill, and Interim Water District. Water District owns land next to Lake Auburn. Colby-Turner Estates owns some land adjacent to City owned land. - Mark Hyland has land owner info.
- City owns + operated municiple landfills except asbeste which is operated by a private person.
- Garage was built ~ 1972 - Contaminants from garage area - not a likely source - Crank case oil + degreasers are contained + hauled away. Minimum possibility of spills. Has 2 fuel tanks - ① diesel + ① regular.
- Gravel Pit operaters have been known to drain crank case right in the gravel pit
- Every one in drainage area is on municiple water. the Berry Farm west of the Landfill has a well across the road near the church. According to the Groundwater model he is on the other side of the Ground water divide that seems to run along Mt. Auburn Rd + drains both water fields into the gully behind Mt. Auburn Cemetery.

MW-4	11/85	chloromethane	50	ug/l
		methyl chloride	16	ug/l
mw-102	11/85	1,1-Dichloroethane	49	ug/l

mw-6 - Dry - has been - seems to be a high point.

2/5/86

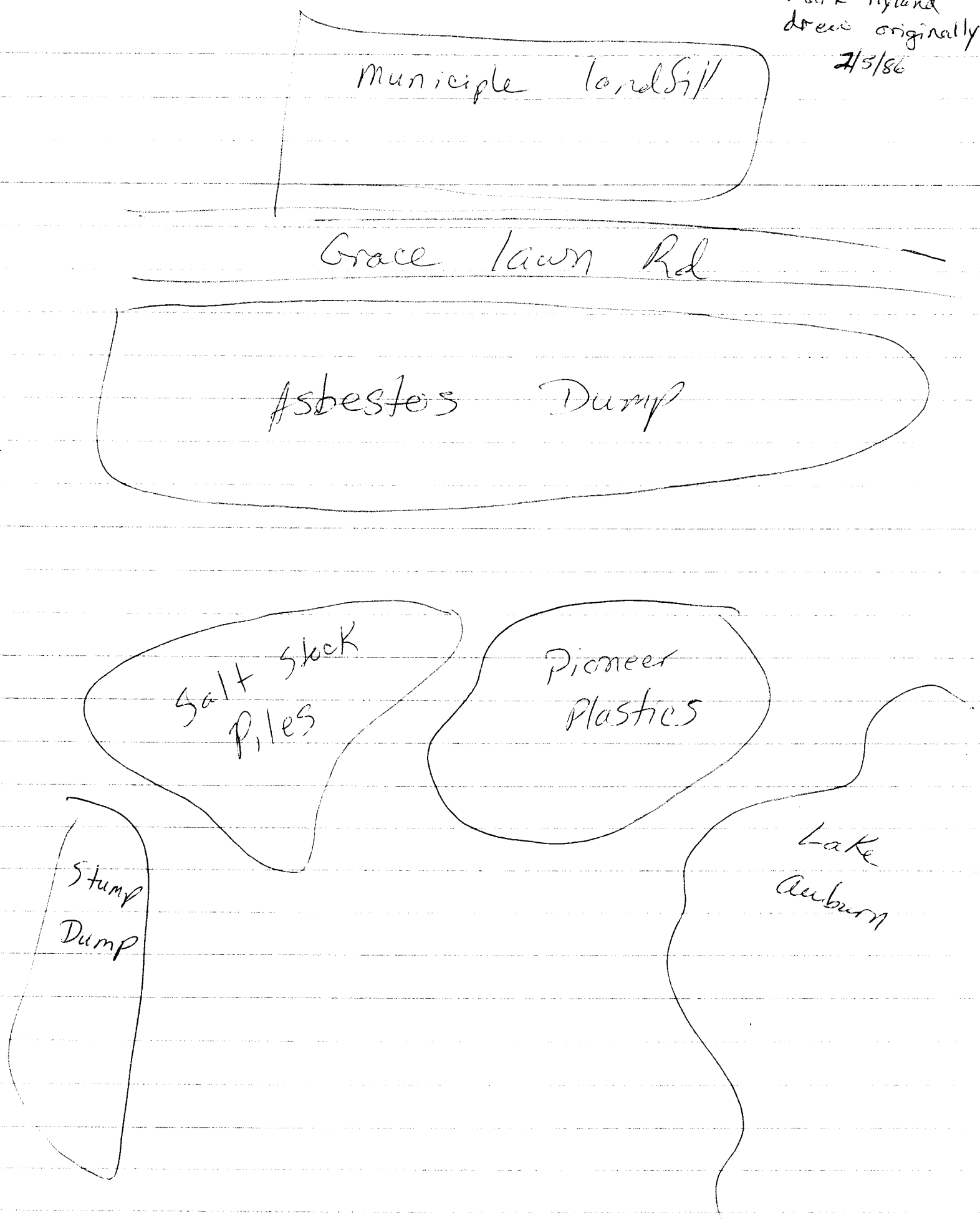
Spoke to Mark H. about tomorrows meeting in Auburn concerning the Gracelawn Landfill.

- Gracelawn Landfill
- Asbestos Disposal site
- Interim Sanitary Landfill + Auburn Landfill
- Old Burning Dump
- Spoil area + Brush dump

Danville in now the location of the ash dump.

I am riding down with Florence + Mike (from Dave's office in the Land Bureau).

Drew from memory. [redacted] Mark Hyland drew originally 2/5/86



Abo
FYI

STATE OF MAINE

Department of Environmental Protection

MAIN OFFICE: RAY BUILDING, HOSPITAL STREET, AUGUSTA
MAIL ADDRESS: State House Station 17, Augusta, 04333

JOSEPH E. BRENNAN
GOVERNOR

HENRY E. WARREN
COMMISSIONER

MEMORANDUM

TO: Cindy Bertocci, ESS III, Licensing & Enforcement

FROM: David D.B. Boulter, Director, Licensing & Enforcement

DATE: November 25, 1985

RE: Complaints ~~issued~~ raised by Cathy Hinds

** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** ** *** **

According to Ms. Hinds, Mrs. Ray Dumont (Tel. 247-5705) has noticed exposed drums of waste at Richards pits on the Old Alfred Road in Waterboro. I believe Gordon checked this out last year, but found no drums. Please have one of your staff investigate again after calling Mrs. Dumont. Apparently, the drums were re-exposed.

Linda Paul (Tel. 839-4112) is concerned that her well water may be contaminated by the Silvex, Inc. facility (formerly Maine Metal Finishing Co.) in Gorham. Please coordinate with Rich Baker and have someone investigate to determine whether sampling is appropriate. Relay results of investigation to Ms. Paul.

Finally, last week the K.J. reported the presence of hazardous substances (vinyl chlorides?) in an old landfill in Auburn (Grace Lawn landfill, I believe). Please chase this down to see if anyone in DEP is involved with the site and whether this Bureau ought to be.

Thank you, Cindy.

rumford community hospital

420 FRANKLIN STREET/RUMFORD, MAINE 04276/PHONE: 207-364-4581

file Auburn landfill

May 21, 1984

The Honorable George J. Mitchell
145 Russell Senate Office Building
Washington, D.C. 20510

PERSONAL

Dear Senator Mitchell:

Last week, it was brought to my attention that the City of Auburn has contracted with the Down Eastern Insulation Company to permit them to dump asbestos in the former City Dump of Auburn. (This site was abandoned to prevent further (or threatened) pollution from this dump into Lake Auburn (water reservoir for Auburn Water District)).

According to my information, the asbestos comes from various sites in New England, where it has been taken out of existing buildings. Apparently, it is all packed in plastic bags and I understand that every day one or more trucks dump their load in this sandpit. The truck drivers are also the bulldozer operators who cover the material with sand and gravel immediately after "dumping".

Recently, an Auburn police officer stopped a truck within Auburn City limits, because it was leaking a "red liquid". Upon inspection, it turned out to be one of the asbestos transports for which the truck was licensed, etc. It is my understanding that the truckload was not inspected at that time.

I am writing to you to express my concern about the possibility of illegal dumping of toxic waste simultaneously with the asbestos (using the asbestos as a cover-up).

I am anxious to hear from you whether this information justifies your investigation and, if so, how you plan to proceed.

Respectfully yours,

JK:ak

Jan Knoppers, M.D.

STATE OF MAINE
Department of Environmental Protection

MAIN OFFICE: RAY BUILDING, HOSPITAL STREET, AUGUSTA
MAIL ADDRESS: State House Station 17, Augusta, 04333

JOSEPH E. BRENNAN
GOVERNOR

HENRY E. WARREN
COMMISSIONER

MEMORANDUM

TO: Auburn Landfill File

FROM: Rebecca Hewett

DATE: January 28, 1986

RE: Status of Auburn (Gracelawn) Landfill

On December 18, 1986, I spoke with Mark Hyland (Land Bureau) about the presence of vinyl chlorides in monitoring wells near the landfill. The town of Auburn has started testing for volatile organics and is concerned about the 39 ppb level of vinyl chlorides present in monitoring well 102 (installed August 1985). Analysis did not detect any volatile organics in monitoring wells 2,9, or 101, but did detect 1, 1, 1 -Trichloroethane in MW-1.

I spoke again to Mark on January 28, 1986. Auburn has hired E.C. Jordan, Inc. to develop a Remedial Action Plan (the Land Bureau has to approve any proposed plan). A meeting is set up for February 6, 1986 at 1:00 p.m. between Auburn, E.C. Jordan, and Mark. Also, it has been decided that I should attend the meeting as a passive participant to get more background information to better assess the problem. I made a copy of the latest groundwater test results for our files. The town of Auburn is also interested in financial assistance concerning the contamination clean-up.

STATE OF MAINE

CP #2 - 1979

Inter-Departmental Memorandum

Date December 5, 1979

To Marc Guerin — Dept. of Environmental Protection

From Steve Reichel SR — Dept. of Environmental Protection

Subject Installation of Monitoring Wells at the Auburn Landfill

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On November 30, 1979 two sub-surface ground water monitoring wells were installed at the Auburn Landfill; in an effort to check the possible leachate plume from the Hazardous Materials Spill on October 26, 1979. These two monitoring wells were to be marked with high visibility paint so plowing during the winter months would not disturb them.

In talking to the landfill attendant he explained that due to the landfills topography all drainage at the landfill slopes to our monitoring well; so we should get a real mixed "bag of tricks".

As to who will be taking the samples (if their still there in the spring), and paying for the analysis I am really not sure. Let me know if you want me to keep an eye on them and take periodic samples.

Sun Metro Tuesday 7/28/87

Auburn to seek answers on Gracelawn Road dump site

By Joel Davison
Sun staff writer

AUBURN — City officials will meet Wednesday with a representative of the federal Environmental Protection Agency over the status of the Gracelawn Road landfill site, City Manager Paula R. Valente said Monday.

The EPA has been studying the background of the long-term municipal dumping site to determine if it poses enough of a health hazard to qualify for federal clean-up dollars under the Superfund law.

But it could be years before the site is eligible for the money, depending on how high it it ranked, so Valente said the city is looking into what could be done locally between now and then.

"We decided to initiate the meeting to get some sense of where the EPA might be going" with the site, Valente said. "We want to get a more-precise idea of the timing."

Besides Valente, others who will be meeting Wednesday afternoon in Portland with EPA scientist Susan Svirsky include city Civil Engineer Steve Ranney, Water District Supt. Normand R. Lamie, Public Works Director Robert Belz, and Dale C. Mosher of E.C. Jordan Co. of Portland. E.C. Jordan is already under contract with the city to monitor ground water through wells at the landfill.

What the city wants to know, Valente said, is if it puts in additional monitoring wells at the site between now and the time the Superfund money is available, would it fit into the EPA's plan under Superfund?

When Superfund money is used to clean up a site, the federal government then tries to recover the expense from those who dumped there.

In this case, Valente said that means the city as well as other companies who took their waste to the site while it was open.

Lamie is attending the meeting because the landfill is located near Lake Auburn, which serves as the major drinking-water supply of Lewiston-Auburn.

A Boston consulting firm is currently conducting a study of the lake and its watershed to see what pollutants are entering the water and from what sources.

"We've been sharing with city officials all the information we have that comes across on the watershed study," Lamie said. "And we're looking to receive the same type of information" on the Gracelawn site.

Lamie said the final draft of the watershed study is expected in mid-August.

"We want to find out whether it's in the best interest to initiate any more testing or not at this point," said Valente.

While Svirsky could not be reached for comment Monday afternoon, she told The Sun in April that the site could be ranked as early as October.

The landfill was closed in 1975, but an E.C. Jordan report issued in January said it as "been identified as having received substantial quantities of industrial liquid wastes."

A study conducted by E.C. Jordan Co. in 1985 and 1986 showed that monitoring wells on the periphery of the landfill were detecting traces of some chemicals known to be carcinogens.

At that time, the company recommended the drilling of nine additional monitoring wells, but the city held off pending the Superfund determination by the EPA.

ORDINANCE 08-03072022

City Council Ordinance

IN CITY COUNCIL

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

Be it ordained, that the City Council approve the amendment to the Zoning Map of 148 acres of Agriculture and Resource Protection (AG) to General Business (Parcel ID 289-001 and 289-002) of the Zoning Map and adjust the Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District map as proposed in the 2021 FB Environmental Report known as Lake Auburn- A Regulatory, Environmental, and Economic Analysis of Water Supply Protection.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Ordinance:** 09-03072022

Author: Eric J. Cousens, Director Planning & Permitting

Subject: **Washington Street Gateway Area:** 240 +/- acres from General Business to Formed Based Code Downtown Traditional Center; T-5.1. and approximately 9.63 acres of Industrial Land to Downtown Traditional Center; T-5.1 for the inclusion of the specific lot PID 199-052.

Information: See attached Staff Report for details. Staff suggests that the Council discuss the proposals and hold a Public Hearing. The Planning Board forwarded a positive recommendation to the Council supporting the proposed changes at the February 8, 2022 Meeting, The recommendation included that the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1. The total amendment includes 240 +/- acres shown on the map (exhibit B in attached staff report) based on the following findings:

1. The 2021 Comprehensive Plan recommends expanding the Formed Base Code zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-5.1.

2. The area has available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads).

3. The proposal can be implemented without detriment to city resources.

4. The 2010 and now 2020 Comprehensive Plan recommends this area as the gateway to the City of Auburn with a proposed revitalization of a welcoming, pedestrian friendly, business friendly and mixed-use area.

City Budgetary Impacts: None Currently, potential increased investment and tax revenues over time.

Staff Recommended Action: Passage of second reading.

Previous Meetings and History: December 6, 2021 Comprehensive Plan adoption and January 3, 2022 workshop. Public hearing and passage of first reading at the 3/7/2022 Council meeting.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Staff Report and Planning Board recommendation.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Proposed Amendment to the Washington Street Gateway Area: 240 +/- acres from General Business to Formed Based Code Downtown Traditional Center; T-5.1. and approximately 9.63 acres of Industrial Land to Downtown Traditional Center; T-5.1 for the inclusion of the specific lot PID 199-052.

Date: February 8, 2022 Planning Board Meeting Recommendation to City Council

The Planning board discussed the proposal and held a Public Hearing on February 8, 2022. The Planning Board voted unanimously to forward a positive recommendation to the Council supporting the proposed changes, That the proposed boundary be adjusted from General Business to Downtown Traditional Center; T-5.1. The total amendment includes 240 +/- acres shown on the attached map (exhibit B) based on the following findings.

FINDINGS AND REASONS:

1. The 2021 Comprehensive Plan recommend expanding the Formed Base Code zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-5.1.
2. The area has available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads).
3. The proposal can be implemented without detriment to city resources.
4. The 2021 Comprehensive Plan recommends this area as the gateway to the City of Auburn with a proposed revitalization of a welcoming, pedestrian friendly, business friendly and mixed-use area.

ORDINANCE 09-03072022

City Council Ordinance

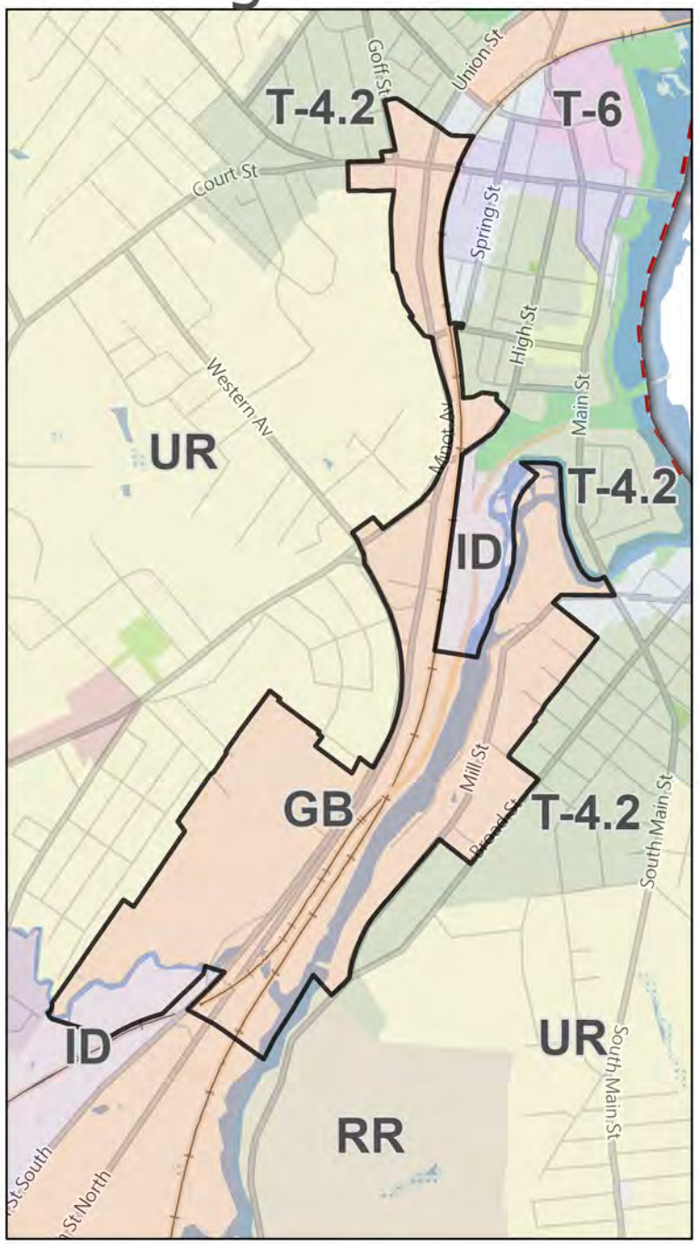
IN CITY COUNCIL

Amending the Zoning Map (Washington Street/Minot Avenue area) from Industrial to Formed Based Code Downtown Traditional Center T-5.1.

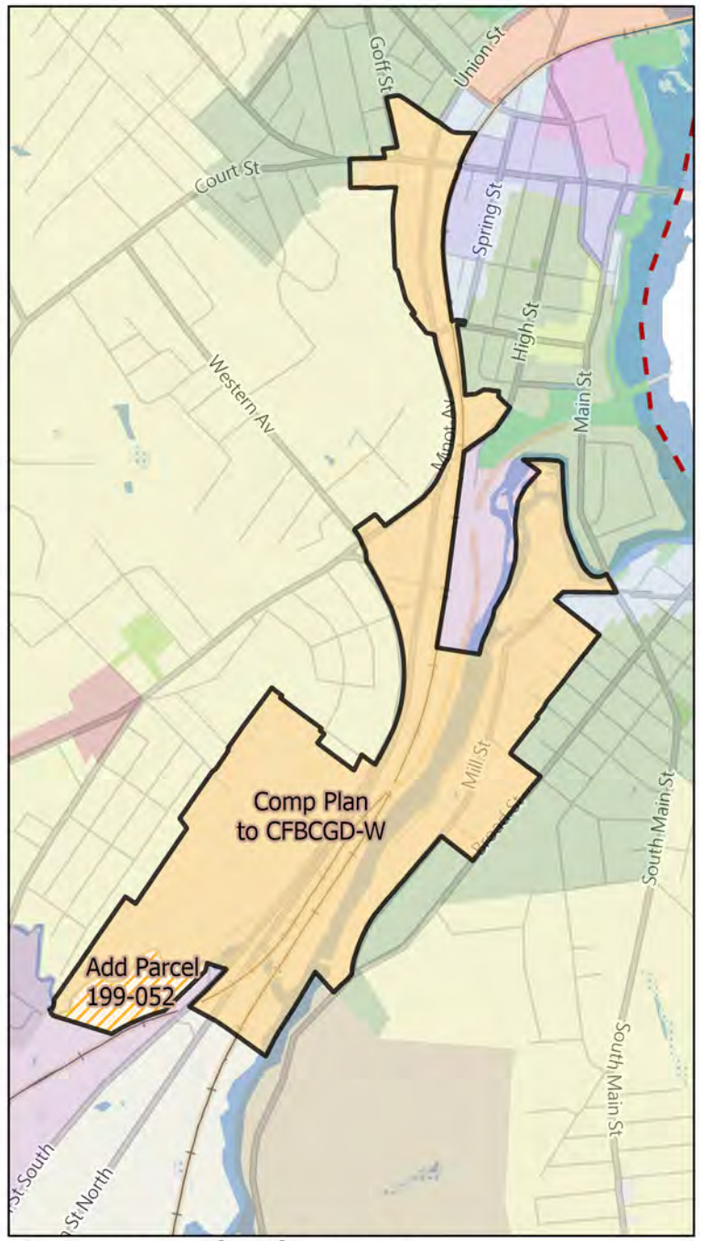
Be it ordained, that the Auburn City Council approve an amendment to the Zoning Map to include the areas along Washington Street and Minot Avenue totaling approximately 240 +/- acres to be changed from General Business to Formed Based Code Downtown Traditional Center T-5.1. and including approximately 9.63 acres (PID 199-052) from Industrial to Formed Based Code Downtown Traditional Center T-5.1 as shown on the attached Exhibit B Map.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

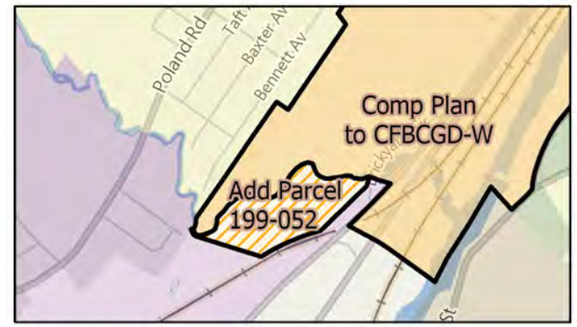
Washington Street: Exhibit B



Current Zoning



Proposed Change



Add Parcel
199-052

Recommended Zoning Updates

- Comp Plan to CFBCGD-W
- Add Parcel 199-052

Current Zoning

- GB - General Business
- GB II - General Business II
- ID - Industrial
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

auburnmaine.gov

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Ordinance**: 10-03072022

Author: Eric Cousens, Director Planning & Permitting

Subject: Update to Phosphorus Ordinance Sec. 60-1070 Submission Requirements

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Information: This change addresses utilization of the most current design standards set forth by Maine Department of Environmental Protection to treat phosphorus export for a project or projects over 575 square feet of ground floor area within the Taylor Pond and Lake Auburn watershed. The technical guide for design standards of Phosphorus Control Best Management Practices will be updated from the May 1990 to the March 2016 version.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016. Link Below:

https://www.maine.gov/dep/land/stormwater/stormwaterbmps/vol2/volume%20II%20March%202016.pdf

These changes allow for implementation and design of low impact development (LID) techniques that allow for more flexibility and greater water quality protection in the two watersheds.

City Budgetary Impacts: None Currently

Staff Recommended Action: Vote to approve the second reading.

Previous Meetings and History: Public hearing and passage of first reading at the 3/7/2022 Council meeting.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Ordinance.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Proposed Amendment to Update Phosphorus Ordinance Sec. 60-1070 Submission Requirements

Date: February 8, 2022 Planning Board Meeting

The Planning Board forwarded a positive recommendation to the Council on this proposal at the February 8, 2022 Planning Board meeting.

The Board recommended that the Council amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016 as shown in the attached text.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

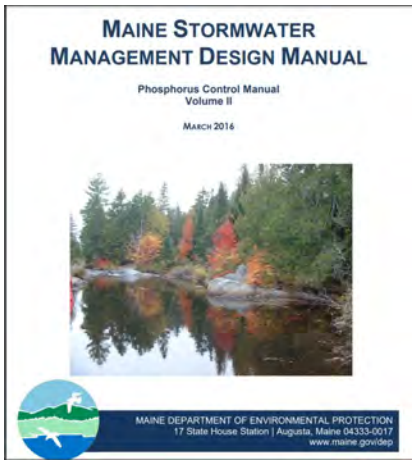
To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing proposed Update to DIVISION 2. PHOSPHORUS CONTROL, Section 60-1070 – Submission Requirements

Date: February 8th, 2022

PROPOSAL: This update addresses utilization of the most current design standards set forth by Maine Department of Environmental Protection to treat phosphorus export for a project or projects over 575 square feet of ground floor area within the Taylor Pond and Lake Auburn watershed. The technical guide for design standards of Phosphorus Control Best Management Practices will be updated from the May 1990 to the March 2016 version.

Proposed Text: ***All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.***

These changes allow for implementation and design of low impact development (LID) techniques that allow for more flexibility and greater water quality protection in the two watersheds.



I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board discuss the proposals and hold a Public Hearing on February 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes.

II. *Suggested Motion:* I make a motion to recommendation to City Council to amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update, all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.

ORDINANCE 10-03072022

City Council Ordinance

IN CITY COUNCIL

Amending Chapter 60, Article XII, Division 2, Section 60-1070

Be it ordained, that the Auburn City Council amend Chapter 60, Article XII, Division 2, Section 60-1070 of the Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in the design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016 as shown in the attached text.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in ~~the manual Phosphorus Control and Lake Watersheds A Technical Guide to Evaluating New Development~~ design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016. ~~(Maine DEP et al., September 1989, with the Simple Review Method revised in May 1990).~~

(1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:

a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.

b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.

c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.

d. A comprehensive erosion and sedimentation control plan, designed in accordance with the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, March 1991, and all building and environmental protection requirements of this Code.

(2) *Review method.*

a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.

b. Projects meeting the following criteria may employ the simple review method:

1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.

2. Activity which includes less than 200 feet of new or upgraded road construction.

(3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G; Ord. No. 11-03012021, § 81, 3-15-2021)

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Order:** 34-03072022

Author: Jill M. Eastman, Finance Director

Subject: School Revolving Renovation Fund Loan, Public Hearing and Second Reading

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Information: The Auburn School Department applied for a Revolving Renovation Fund Loan and has been approved by the State. Please see attached sheets that describe the projects being funded.

City Budgetary Impacts: This is a 10 year loan, interest free and 67.05% of the principal is forgiven, therefore the School is only required to repay 32.95% or a total of $427,852 over a 10 year period at $42,785.20 per year.

Staff Recommended Action: Hold the public hearing and approve the second and final reading.

Previous Meetings and History: Passage of first reading on 3/7/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
State approval letter and project description. (4 pages)

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

JANET T. MILLS
GOVERNOR

PENDER MAKIN
COMMISSIONER

RECEIVED
FEB 03 2022
By

January 31, 2022

Cornelia Brown
Superintendent of Schools
Auburn School Department
60 Court St 4th Floor
Auburn, ME 04210

RE: Eligibility Certificates – SRRF Projects #1460, #1537, and #1538

Dear Superintendent Brown:

I am pleased to inform you that your School Revolving Renovation Fund applications for Projects #1460, #1537, and #1538 have been approved for funding for the amounts listed on the attached eligibility certificates.

The loan process for your projects must be initiated within 30 days. Please contact Toni Reed, Program Loan Officer, Maine Municipal Bond Bank at 622-9386 for assistance.

Awardees must comply with all applicable statutory and rule requirements for public improvement projects. Please see the attached post award guidance. You may contact Valerie Chiang, School Construction Coordinator, at 462-0132 for technical assistance.

Please note that failure to comply with SRRF program requirements and all applicable statutes and rules may result in revocation of your SRRF eligibility certificates and cancellation of your SRRF awards.

I wish you good luck as you complete your projects. If you have any questions regarding the School Revolving Renovation Fund, please contact Ann Pinnette at 215-3809 or ann.pinnette@maine.gov.

Sincerely,

Pender Makin

Pender Makin
Commissioner

Enclosures: SRRF Eligibility Certificates
SRRF Post Award Information

cc: Toni Reed, Maine Municipal Bond Bank

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Regional Education Treatment Center/SOS	
Priority	1	
Project #	1537	
Scope of Work	ADA Elevator/bathrooms	
Amount Funded	$1,000,000	
Maximum Loan Amount	**$1,000,000**	
Portion of Loan to be Forgiven	$670,500	*67.05%*
Portion of Loan to be Repaid	$329,500	*32.95%*
Length of Loan	10 years	(loan more than $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin

Pender Makin
Commissioner

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Auburn Middle School	
Priority	2	
Project #	1460	
Scope of Work	Windows	
Amount Funded	$83,430	
Maximum Loan Amount	**$83,430**	
Portion of Loan to be Forgiven	$55,940	*67.05%*
Portion of Loan to be Repaid	$27,490	*32.95%*
Length of Loan	10 years	(loans $500,000 or less combined with companion loans to total over $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin
Pender Makin
Commissioner

Maine Department of Education

School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Auburn School Department	
Facility	Walton Elementary School	
Priority	2	
Project #	1538	
Scope of Work	Windows and Doors	
Amount Funded	$215,058	
Maximum Loan Amount	**$215,058**	
Portion of Loan to be Forgiven	$144,196	*67.05%*
Portion of Loan to be Repaid	$70,862	*32.95%*
Length of Loan	10	(loans $500,000 or less combined with companion loans to total over $500,000)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by September 30, 2023.

January 31, 2022
Date

Pender Makin
Pender Makin
Commissioner

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

The Auburn City Council will hold a public hearing on March 21, 2022, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on an order authorizing a borrowing of up to $1,298,488 and issuance of the City's general obligation bonds therefor. The loan will be funded through the State School Revolving Renovation Fund and will be used to finance certain renovations and improvements to the Regional Education Treatment Center/SOS, Auburn Middle School and Walton Elementary School.

The order will be available for inspection at the City Clerk's office during regular business hours.

Susan Clements-Dallaire, City Clerk

ORDER 34-03072022

City Council Order

IN CITY COUNCIL

ORDER, AUTHORIZING LOANS OF UP TO $1,298,488 THROUGH THE STATE SCHOOL REVOLVING RENOVATION FUND

WHEREAS, the City desires to obtain one or more loans through the Maine Municipal Bond Bank's (the "Bond Bank") School Revolving Renovation Fund ("SRRF") under the Maine School Facilities Finance Program to finance renovations and improvements to the Regional Education Treatment Center/SOS, Auburn Middle School and Walton Elementary School; and

WHEREAS, the City expects to enter into one or more loan agreements with the Bond Bank in an aggregate amount not to exceed $1,298,488, provided, however, that the City anticipates that 67.05% of said loan or loans (estimated to be $870,636) will be forgiven and that the City will be obligated to repay the 32.95% balance of said loan or loans (estimated to be $463,386);

NOW, THEREFORE, BE IT ORDERED BY THE AUBURN CITY COUNCIL, pursuant to Section 5772 of Title 30-A of the Maine Revised Statutes, as amended, the Auburn City Charter and all amendments thereof, and all other authority thereto enabling, and following a public hearing duly called and held as required by Article 8, Section 8.13 of the City Charter:

THAT the Finance Director / City Treasurer are hereby authorized to borrow an amount not to exceed $1,298,488, of which 67.05% (estimated to be $870,636) is expected to be forgiven and 32.95% (estimated to be $463,386) is expected to be repaid under the terms of the SRRF program (the "SRRF Loans"), and to evidence the amount of such SRRF Loans to be repaid under the SRRF program through the issuance of the City's general obligation bonds (anticipated to be an amount not to exceed $463,386), the proceeds of which are hereby appropriated to fund the costs of the following school renovations and improvements (including costs of issuance, capitalized interest, and any other costs related or ancillary thereto) (referred to as the "Projects"):

Amount	Description
$1,000,000	Regional Education Treatment Center/SOS – ADA Compliance - Elevator/Bathrooms Renovations and Improvements
$83,430	Auburn Middle School – Window Replacement and Improvements
$215,058	Franklin School – Window and Door Replacement and Improvements

THAT the bonds shall be issued as authorized hereunder and shall be signed by the Finance Director / City Treasurer, attested by the City Clerk under the seal of the City.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

THAT the bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the Finance Director / City Treasurer.

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

THAT the Finance Director / City Treasurer is authorized to negotiate, execute, and deliver, in the name of and on behalf of the Town such loan agreements, contracts, and other agreements, documents and certificates as may be necessary or appropriate as determined and approved by the Finance Director / City Treasurer in connection with the financing of the Projects (the "Financing Documents"), which Financing Documents shall be in such form and contain such terms and conditions, not inconsistent herewith, including the usual and customary terms as is required by the Bond Bank under its SRRF program, as may be approved by the Finance Director / City Treasurer such approval to be conclusively evidenced by her execution thereof.

THAT the Finance Director / City Treasurer and Clerk be, and hereby are authorized and empowered in the name of the City and on its behalf to do or cause to be done all such other acts and things as may be necessary or desirable in order to complete the SRRF Loan and to effect the issuance, sale and delivery of the bonds hereinabove authorized.

THAT a tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year.

THAT if the Finance Director / City Treasurer or Clerk are for any reason unavailable to complete the SRRF Loan and to approve and execute the bonds or any of the Financing Documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had herself performed such act.

THAT if any of the officers or officials of the City who have signed or sealed the bonds shall cease to be such officers or officials before the bonds so signed and sealed shall have been actually authenticated or delivered by the City, such bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds had not ceased to be such officer or official; and also any such bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds, shall be the proper officers and officials of the City, although at the nominal date of such bonds any such person shall not have been such officer or official.

City Council Order

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

A public notice providing a general summary of the proposed borrowing was published the same on March 5, 2022, in the Lewiston Sun-Journal, a daily newspaper published in Androscoggin County.

A public hearing was held on March 21, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: March 21, 2022 **Ordinance:** 11-03212022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2

Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended as follows: *Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 15 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

The Planning Board reviewed this proposal and provided a positive recommendation (attached) at the March 8, 2022 meeting. The staff report from that meeting is also attached.

Staff Recommended Action: Staff suggests council discuss the proposal, consider the Planning Board Recommendation and public feedback from the process and make any desired adjustments as part of the first reading tonight. Second reading and a public hearing is scheduled for March 28, 2022.

Previous Meetings and History: January 3rd Council Discussion Initiation, February 8th and March 8, 2022 Planning Board.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Planning Board Recommendation.

Chapter 2 - Future Land Use Plan

The Future Land Use Plan shows graphically how the City's land use policies apply to the land area of the community, and where and how growth and development should and should not be accommodated over the next decade. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. The intention is that this Future Land Use Plan will guide near-term revisions to the City's zoning ordinance and maps to assure that the City's land use regulations are consistent with the policies set forth in this *Comprehensive Plan*. In addition, by designating transitional districts, the Future Land Use Plan is designed to guide future zoning changes when the circumstances become appropriate.

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the historic cores (downtown, Danville, New Auburn, West Auburn and East Auburn) and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services. This plan does not favor "leapfrog" development in the outlying sections of the City. This pattern is often referred to as "suburban sprawl," and is not considered desirable for Auburn. The effect of continuing this long-standing principle is to guide most new development into the area south of Lake Auburn and Taylor Pond and around potential passenger rail and turnpike exits (**See Section G: Transportation Policies**). Figure 2.1 identifies these areas as the City's Growth Area and Limited Growth Area; they are depicted in the brown and tan colors. (Please note: Map update is pending and the referenced figures will need to be revised for the final publication).

The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City's zoning ordinance and other land use regulations. In the preparation of the revised zoning provisions, some of the designations may be combined or rearranged to create a workable number of zoning districts

Organization of the Future Land Use Plan

The Future Land Use Plan is organized around the concept of growth and rural (or limited growth) areas set forth in the state's Growth Management Law. The state defines a "growth area" as an area that is designated in the city's comprehensive plan as suitable for orderly residential, commercial, or industrial development, and into which most development projected over ten years is directed. The state defines a "rural area" as an area that is designated in the comprehensive plan as deserving of some level of regulatory protection from unrestricted development for purposes such as supporting agriculture, forestry, mining, open space, habitat protection, or scenic lands, and from which most development projected over ten years is diverted. The state also recognizes the concept of "transitional areas," or areas that are suitable to accommodate a share of projected development, but at lower levels than a growth area, and without the level of protection accorded to rural areas.

The terminology of the state law – growth, rural, and transitional – can lead to confusion. The three terms are used to indicate the desired/anticipated level or share of future growth and development that will occur in the three areas -- but the terms do not indicate that in common usage. For example, an undeveloped floodplain within the built-up area might be identified as a non-growth area but labeling it as "rural" can be misleading. Similarly calling an established residential neighborhood a "transitional" area or a "growth" area can also be misleading if the objective is to maintain the neighborhood "as is".

Future Land Use Categories

For the purpose of the Future Land Use Plan, three basic growth categories are used based upon the standards set out by the state and the desired level of future development in the City (see Figure 2.1 following page):

1. GROWTH AREAS – Areas where the City wants growth and development to occur. The anticipation is that most residential and non-redevelopment over the next ten years will occur in these growth areas.

2. LIMITED GROWTH AREAS – Areas that have limited development potential or that have vacant or under-utilized land where the City desires a limited amount of growth and development over the next ten years.

3. NON-GROWTH AREAS – Areas that are either unsuitable for development or in which the City desires to see little growth and development over the next ten years.

Future Land Use Types

The three categories of growth, limited growth, and non-growth specify where the City wants to accommodate growth and development and where it wants to discourage or prohibit it. The Comprehensive Plan is intended to be a guide upon which zoning ordinances are based and is not intended to serve as a regulatory document. A comprehensive rezoning should be completed after adoption of the Comprehensive Plan to match the suggestions in this plan with flexibility for future changes.

Type A: Development Areas – Areas with a significant amount of vacant or underutilized land that are capable of supporting new residential or nonresidential development in accordance with the City's land use objectives. New development within these areas is generally encouraged.

Type B: Transition/Reuse/Redevelopment Areas – Developed areas where the City's policy is to encourage the type of use and/or pattern of development to change over time. New development, redevelopment, or the reuse of existing land and buildings that moves the area toward the desired future use is encouraged. Some transition areas designated in the Future Land Use Plan identify the desired future use of the area, but the City's zoning may not be changed until a future point in time when development is appropriate – in a sense these are

"planned future transition areas". The City's use of the term transition area differs from the way this term is used by the state in the Growth Management Law.

Type C: Protection/Reserve Areas – Largely undeveloped areas that should remain undeveloped for at least the next ten years. These areas include land with significant development constraints that should not be developed, as well as land that is not appropriate for development at this time, but that may be designated for development in the future.

Figure 2.2 on the following page shows the types of land use areas organized by the three growth categories.

Residential Densities

The Future Land Use Plan sets out the recommended pattern and intensity of development in various areas of the City. The Future Land Use Plan establishes the desired maximum intensity or density of residential development in the various land use designations.

The following table sets out the various categories of density used in the Future Land Use Plan. The maximum allowed density is expressed in the number of housing units per acre based on the gross development density. (An acre is 43,560 square feet – the playing surface of a football field is about 1.3 acres). For each density category, a maximum suggested density is provided to allow some flexibility in the establishment of the revised zoning regulations. This is not to imply that the revised zoning should strive to meet the maximum density.

Residential Density Categories	
Category	**Maximum Density**
Traditional Neighborhood	16 units per acre
Suburban	8 units per acre
Residential	2 units per acre
Rural	1 unit per 3 acres + additional dwelling unit

Future Land Use Designations

The following sections outline the various land use designations used in the Future Land Use Plan. The designations are organized by growth category and by the type of area. The description of each designation includes a series of land use districts that define the general pattern of development. Each district includes an ***objective*** for the general pattern and type of development that is desired together with the general types of uses (***allowed uses***) that are appropriate in the designation and an outline of the ***development standards*** including the density/intensity of development. The location of these various land use districts are shown on the accompanying Future Land Use Plan Map (see Figure 2.3 on the following page).

In addition to the Future Land Use Map, four detail maps (Figures 2.4, 2.5, 2.6 , and 2.7) show the future land use designations for specific portions of the community, including Downtown, New Auburn, Minot Avenue, and Center Street.

FUTURE LAND USE PLAN VISION STATEMENT:

As a model of carefully managed growth, Auburn seeks to **grow outward from the historic cores within our city** and be known for its **strong, vibrant neighborhoods**. The city is committed to making careful, effective, and **efficient use of land and corresponding services, while strengthening the character of our neighborhoods**, ensuring that resources exist to maintain and enhance the quality of life for current and future residents. Auburn's continued commitment to **strong community connections,** embracing opportunity, and mindful growth should be **balanced with natural resource conservation** and woven into the city's unique identity.

1. GROWTH AREAS –

Type A: Development Areas

Designation: Residential

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3 and 2.7). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should

be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

SUBURBAN DEVELOPMENT DISTRICT (SD)

Objective – Allow for the development of a limited range of residential and community uses at a density of up to 6-8 units per acre in areas that are served or can be served by public/community sewerage and/or public/community water (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Suburban Development District generally follows the boundaries of the Multifamily Suburban and Suburban Residential Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Suburban Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Recreational Uses of Land
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 8 units per acre with no minimum road frontage required, shared driveways are encouraged. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-20 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

Designation: Nonresidential and Mixed Use

FORM-BASED CODE DEVELOPMENT DISTRICT (FBCD)

Objective – Stabilize and promote continued investment in the City's high-density neighborhoods which include a mix of housing types including multi-unit buildings to assure that they remain safe, attractive areas in which residents want to live (see Figures 2.3 and 2.4). To this end, the district should allow property owners to upgrade their properties, and for infill development and redevelopment/reuse to occur, as long as it is compatible with the character of the neighborhood.

Allowed Use – The Form-Based Code Development District generally follows the boundaries of the Form-Based Code (Transects 4.1, 4.2, 5.1, 5.2 and 6), in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Form-Based Code Development District:

- Low and High Density Residential Dwelling Units
- Home Occupations
- Civic Uses
- Office/Service Type Uses
- Retail Type Uses

Development Standards – The reuse/reconfiguration of existing buildings for residential purposes should be allowed without consideration of density/lot size requirements, provided that

the building will be renovated, be compatible with the neighborhood, and will meet the City's requirements for residential units, including green space and providing the amount of parking appropriate for the proposed use. The other development standards should be established to reflect the existing pattern of development in these neighborhoods. Any parking requirements imposed should allow for flexibility in meeting the need for parking including the use of municipal parking, shared parking, and similar arrangements.

COMMERCIAL DEVELOPMENT DISTRICT (GBD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic (see Figures 2.3 and 2.5) the District should allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses – The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services
- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

INDUSTRIAL DEVELOPMENT DISTRICT (ID)

Objective – Accommodate the development and expansion of a wide range of nonresidential industrial-type uses to create employment opportunities and commerce (see Figure 2.3). The land within the district should be viewed as a limited resource that should be carefully managed so that it is not used for activities that can occur in other areas of the City.

Allowed Uses – The Industrial Development District generally follows the boundaries of the Industrial District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed in the Industrial Development District:

- Industrial uses including manufacturing, assembly, and research and development facilities
- Distribution and storage uses including wholesale sales, warehousing, and truck terminals/distribution facilities
- Transportation facilities including the airport and related uses and transportation terminals and multi-modal facilities
- Office uses
- Building material and lumber yards
- Vehicle and equipment repair facilities
- Hotels and motels
- Community services and governmental uses
- Agricultural uses

Residential uses should not be allowed in this district. Retail and service uses should be limited to activities that primarily support the other uses within the district such as service stations, convenience stores, and restaurants. Other retail and service activities should not be allowed in this district.

Development Standards – The development standards within the Industrial Development District should:

- Establish performance standards to assure that uses are good neighbors and do not create adverse impacts on surrounding properties or the community at-large
- Establish buffers where the district abuts residential districts to minimize the impacts on those residential properties
- Establish site design and landscaping standards to assure that development functions well and is visually attractive when viewed from public streets or other public areas

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective –.
To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi

dwelling development with up to three stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street.This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (UNION/CENTER/TURNER) (CFBCGD-UCT)

Objective –.
To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-UCT should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of the Union/Center/Turner Street neighborhood from a commercial zoning district to a future Form-Based Code Commercial Development District, matching the adjacent Form-Based Code designations. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – UCT generally follows the boundaries of the existing General Business areas along the Union/Center/Turner Street corridor, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The Commercial Form-Based Code Gateway Development District – UCT should allow for medium-scale, multi dwelling development with up to four stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for

new development, encouraging shallow or no front setbacks, screen parking areas from the street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Union/Center/Turner Streets. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

VILLAGE OVERLAY AREAS (VOA)

Objective – In residential Future Land Use Districts, small commercial operations should be allowed provided they do not exceed the average lot size of the neighborhood (or more than two times the average size of the home). As part of the comprehensive rezoning, the City should identify village overlay areas where these small commercial operations are most appropriate, such as corner lots. Considerations for appropriate areas should include: frontage on a major arterial as defined in the Comprehensive Plan, access to any required parking be located on the arterial frontage, buffering of any parking areas from lot lines and signage limitations.

PLANNED UNIT DEVELOPMENTS (PUD)

Objective – As part of the comprehensive rezoning process, the City should continue to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to consider and make available open space, to utilize new technologies for land development and to offer a flexible alternative to conventional land control regulations by allowing for Planned Unit Developments for residential, commercial and industrial projects. The type and amount of development permitted should continue to be based on the Planning Board's evaluation of the development proposal and the purposes set forth in the 2021 Auburn Code of Ordinances. The City should continue with the four types of Planned Unit Developments: Residential, Recreation/Residential, Commercial and Industrial and apply them to the newly proposed Future Land Use Designations after a comprehensive rezoning has taken place.

2. LIMITED GROWTH AREAS –

Type A: Development Areas

Designation: Residential

RESIDENTIAL DEVELOPMENT DISTRICT (LDD)

Objective – Allow for the development of residential and community uses at a density of up to 2 units per acre in areas on the fringe of the built-up area where public services can be reasonably provided, but where public sewerage is not available and is not likely to be available in the foreseeable future (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads. Shared driveways should be encouraged by providing a 20% reduction in lot size and road frontage.

Allowed Uses – The Residential Development District generally follows the boundaries of the Rural Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Low-Density Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses

- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – Residential uses should be allowed at a density of up to 2 units per acre. Lot frontage requirements on existing collector and other through roads should be around 100 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 20 feet. Side and rear setbacks should be 15-30 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

3. NON-GROWTH AREAS –

Type C: Protection/Reserve Areas

Designation: Conservation/Open Space

CONSERVATION/OPEN SPACE DISTRICT (COS)

Objective – Formally recognize those parcels that are used for cemeteries, water quality protection or are protected for conservation or open space purposes (see Figure 2.3). The land included within this district will change over time as additional land is conserved. The intent of this designation is to establish a policy that these types of properties/uses should be recognized as important resources and that any significant change in use should be considered a policy decision.

Allowed Uses – The allowed uses within the Conservation/Open Space District should be limited to low intensity recreational facilities and natural resource uses including forestry and food production.

Development Standards – The development standards should provide flexibility for the appropriate use of the land, while protecting its natural resource and ecological values.

AGRICULTURE DISTRICT (AG)

Objective – Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low-density development pattern that limits sprawl and minimizes the City's service costs. The district maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and as a means to provide reasonable public access to outdoor destinations such as Lake Auburn and the Androscoggin River. The Agriculture District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

Allowed Uses – The Agriculture District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally related businesses including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses.

Residential uses should continue to be limited to accessory residential development as part of a commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that consider the economic realities of today's commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved.

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture District should be required to meet "best management practices" for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

The City should continue to encourage a very low density development pattern as a means of protecting natural resources and preserving the rural character. The basic residential density standard for the current AG/RP zoning district should be maintained. The standards for the development of accessory residential units should provide greater flexibility in the siting of those units. In an effort to place accessory residential development in areas where it will have the least impact on natural resource and/or the agricultural value of the land, the standards should allow for a waiver or elimination of road frontage requirements and access from a private driveway.

Residential development that is proposed as part of a master planned commercial recreational development should be limited to the same density standard (one unit per 10 acres) as other accessory residential uses, unless necessary for economic reasons to increase the density as a

project incentive. A recreational master plan should be required outlining the scope, scale, and location of residential units and ensuring a cluster development pattern in which the majority of the land is retained as recreation/open space. A conservation easement, or other legally binding preservation measure, should be required to permanently conserve the recreation/open space areas.

As part of the 2021 Comprehensive Plan update, it is understood that agriculture and forestry **may not** be profitable in some areas of the City and the existing Agriculture and Resource Protection Zoning, in some cases, eliminates the economic use of private land. The City should create a mechanism in which private landowners can petition the City for a change of use based on the individual circumstances of their lot(s).

The City also recognizes differences between Agriculture and Resource Protection, and as such it is recommended that the districts be treated separately within the zoning ordinance (Agricultural District and Conservation/Open Space District). This committee acknowledges that in practice there is overlap between Agriculture and Resource Protection, and that the conversation about how to distinguish the two should include a broad group of voices including residents, relevant City Committees (Conservation Commission, Agriculture Committee, etc) and experts who can support the City in meeting its goal to untangle these activities.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2

Date: March 8, 2022 Planning Board Meeting

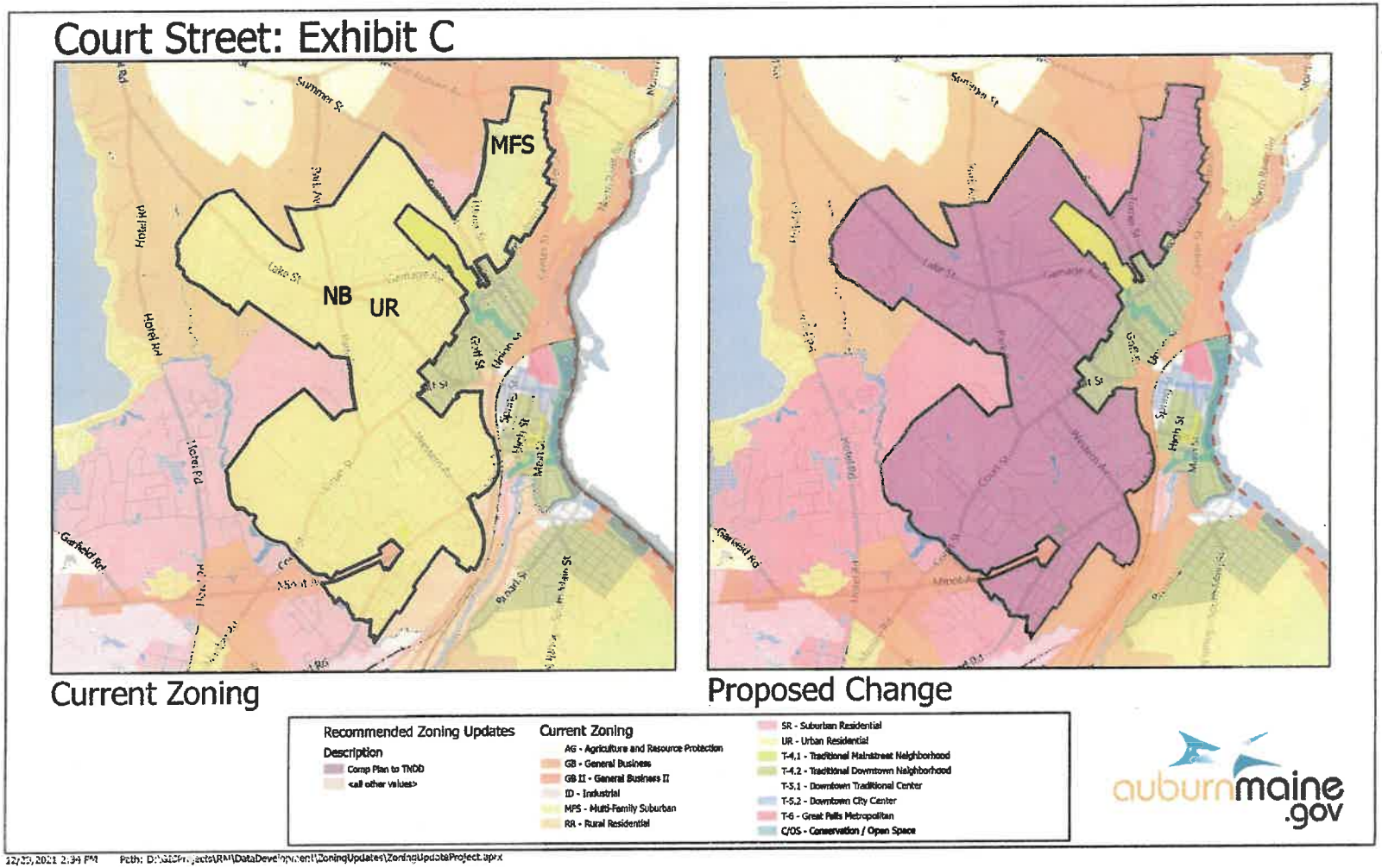
The Planning Board forwarded a positive recommendation to the Council on this proposal at the March 8, 2022 Planning Board meeting.

The Board passed a motion to recommend to City Council to amend the proposed boundary be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code. The Motion passed 4 in favor, 3 against, based on the following findings.

FINDINGS AND REASONS:

1. The 2010 and now 2020 Comprehensive Plan recommend expanding the Formed Base zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-4.2.
2. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (sewer, water, power, high speed internet, gas & roads)
3. The proposal can be implemented without detriment to city resources.

Proposed Urban Residential to Traditional Neighborhood Development District Area:T-4.2 (1,687.41 Acres)



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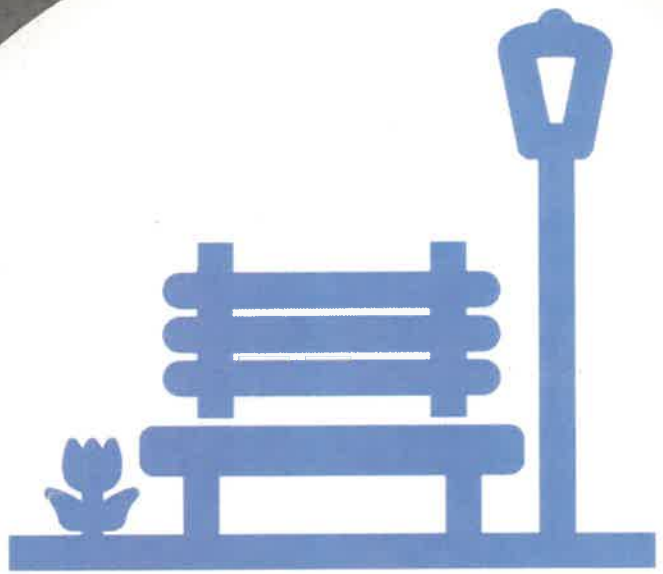
TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (COURT STREET) (TND) T-4.2

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).



Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

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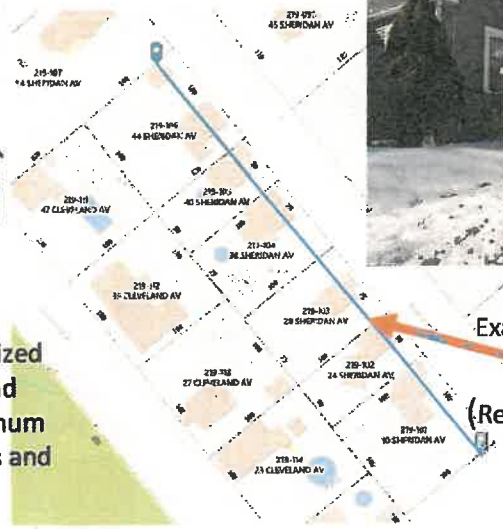
Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)

- Allows for Infill Development.
- Encourage Revitalization.
- Promote Housing Affordability.
- Help Small Businesses.
- Promote Walkability.
- Creates a Sense of Place-Charmed New England Towns and Cities.
- Addresses many legally non-conforming lots (70% or more-**Stop Regulating the Wrong Things**)



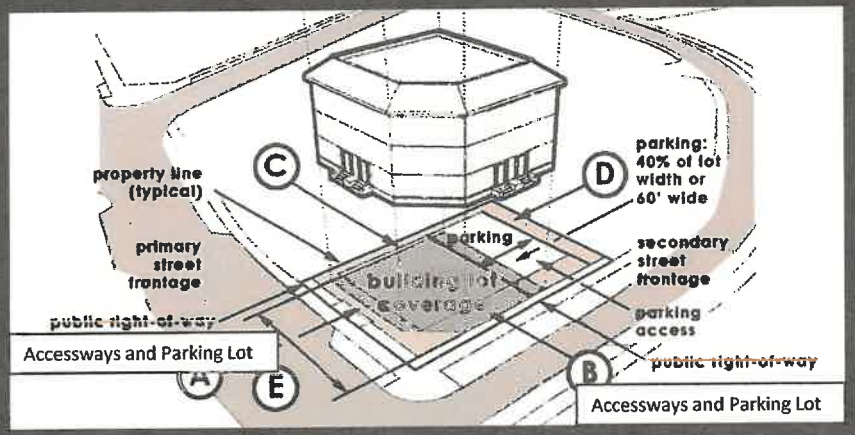
Sheridan Avenue-Example; Existing legally non-conforming lots. (Required existing 25' setback)

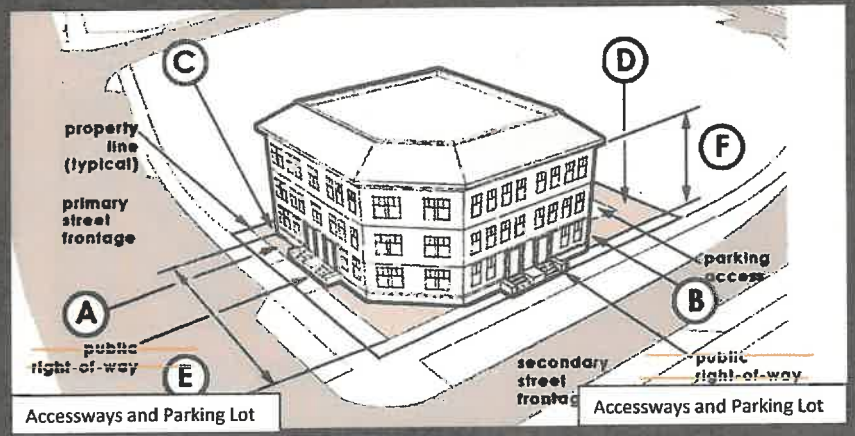
Intent and Purpose:

Traditional Downtown Neighborhood (T-4.2)

The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Examples of Traditional Downtown Neighborhood T-4.2





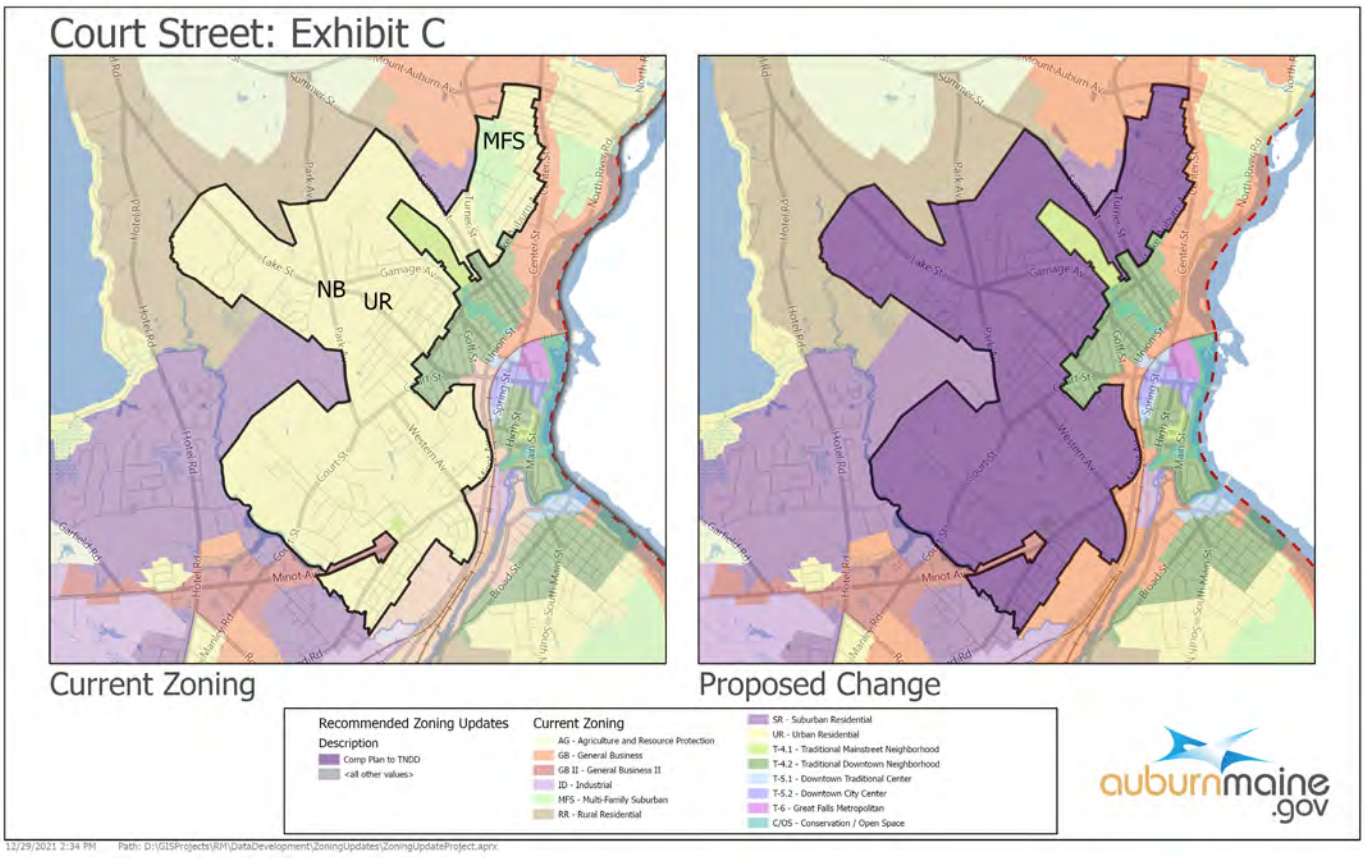
PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing Court Street/Urban Core Area Zoning Considerations from 2021 Updated Comprehensive Plan for Zoning Map Amendment.

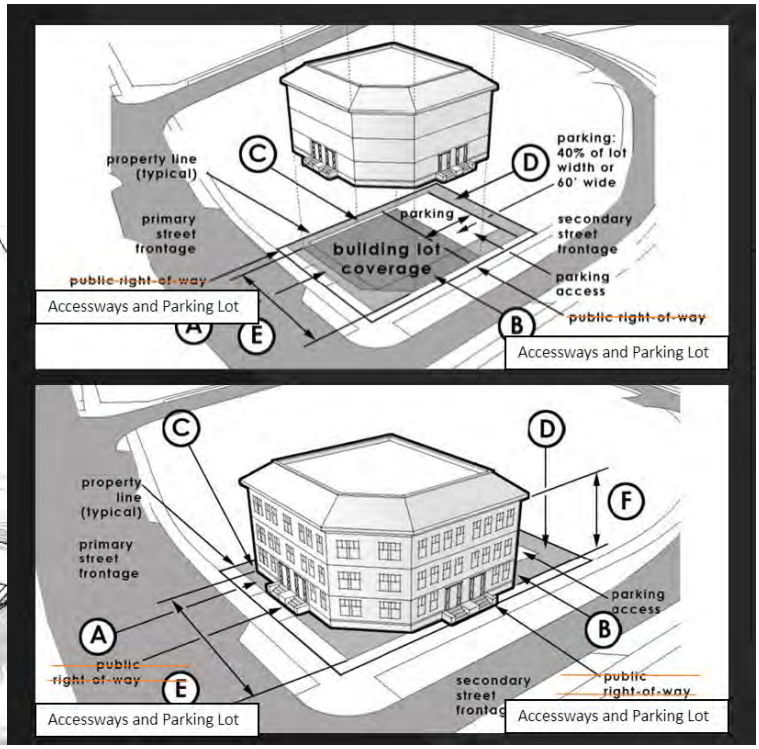
Date: March 8th, 2022

PROPOSAL #1: **Court Street/City Core of Urban Residential Area;** 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2 (See below Exhibit C.)



PROPOSAL #2: **Front Setback as Accessways and Parking Lots;** Multifamily units development opportunities should be considered as its own neighborhood setting allowing setbacks not just from public

ways, but also private ways, private parking and private sidewalks. See illustration below for example.



PROPOSAL #3 Utilize Public Parking in all Formed Based Code; Sec. 60-554, Notes (2) *Parking requirements in T-4.1, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 15 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot

to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board discuss the proposals and continue a Public Hearing on March 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes, 1.) To amend the proposed boundary be adjusted from Urban Residential to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code.

II. based on the following findings.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now 2020 Comprehensive Plan recommend expanding the Formed Base zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-4.2.
2. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads)
3. The proposal can be implemented without detriment to city resources.

III. *Suggested Motion:* 1*.)* I make a motion to recommendation to City Council to amend the proposed boundary be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code.

ORDINANCE 11-03212022

City Council Ordinance

IN CITY COUNCIL

Amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).

Be it ordained, that the City Council hereby amends the boundary to be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C and Utilize Public Parking in all Formed Based Code: Sec. 60-554, Notes (2)

*Parking requirements in T-4.1, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval. Sec 548.2-552.2 allow Accessways (A)

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Ordinance:** 12-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed ordinance amendment, Sec. 2-255 Appointment term (of the Assessor).

Information: Title 30-A §2552 states the following:

§2552. Designation of officials
1. Assessors and assistant assessors. The following provisions apply to assessors and their assistants.
A. Assessors and their assistants shall be chosen annually on the 2nd Monday of March to serve for one year and until others are chosen and qualified in their places, unless the city charter provides otherwise.

B. In addition to the assistant assessors chosen under a city charter, the municipal officers may authorize the assessors to appoint any necessary assistants to serve during the municipal year in which they are appointed

C. Notwithstanding the provisions of any city charter to the contrary, the city council, by ordinance, may provide for a single assessor whose powers and duties are the same as for towns, and who is appointed for a term not exceeding 5 years.

Section 2-255 of our Code of Ordinances states:

Sec. 2-255. - Appointment; term.

The tax assessor shall be appointed by the city council on the recommendation of the city manager. The tax assessor shall be appointed for a two-year term.

Staff is proposing an amendment changing the term from two years to up to five years to better align with State law.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Bi-annual appointment.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDINANCE 12-03212022

City Council Ordinance

IN CITY COUNCIL

Amendment to the Code of Ordinances, Chapter 2 Administration, Division 7, Tax Assessor, Section 2-255. Appointment; term

Be it ordained, that the Auburn City Council hereby amends Chapter 2 Administration, Division 7, Tax Assessor, Section 2-255. Appointment; term, of the Code of Ordinances as follows:

Sec. 2-255. Appointment; term.

The tax assessor shall be appointed by the city council on the recommendation of the city manager. The tax assessor shall be appointed for a ~~two-year~~ term not to exceed five years.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: March 21, 2022 **Order:** 45-03212022

Author: Phil Crowell, City Manager

Subject: Non-profit organization ARPA fund requests

Information: During the last two years of the Covid-19 pandemic, many non-profit organizations lost revenue as they were unable to do any fundraising. This revenue loss prevented them from providing much needed services to members of our community. The City of Auburn has received requests from non-profits asking for assistance to stabilize their non-profit budgets.

During the March 7, 2022 City Council meeting, councilors discussed providing an allocation of ARPA (American Rescue Plan Act) funds to non-profit organizations who offer outdoor recreational activities. Written requests will be reviewed on a first-come/first-serve basis and funds will be allocated until the funds have been disbursed.

This allocation is an allowable expenditure under ARPA's final rule – *Negative Economic Impacts – Aid to Non-profit Organizations – 2.10.*

City Budgetary Impacts: None

Staff Recommended Action: Vote to allocate $50,000. in ARPA (American Rescue Plan Act) funds to provide assistance to non-profit organizations who offer outdoor recreational activities and have been negatively impacted by the Covid-19 pandemic.

Previous Meetings and History: March 7, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 45-03212022

City Council Order

IN CITY COUNCIL

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

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **February 2022 Financial Report**

DATE: **March 21, 2022**

The following is a discussion regarding the significant variances found in the City's February financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its eighth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 66.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through February 28th, including the school department were $63,381,546 or 66.41%, of the budget. The municipal revenues including property taxes were $42,679,602, or 65.51% of the budget which is more than the same period last year by 2.09%. The accounts listed below are noteworthy.

A. The current year tax revenue is at 63.47% compared to last year at 61.46% the second payment is due March 15th. We are currently $1,241,358 higher than last year at this time.

B. Excise tax for the month of February is at 66.68%. This is a $166,051 decrease over FY 21.

C. State Revenue Sharing at the end of February is 114.56% or $3,608,621.

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Expenditures

City expenditures through February 2022 were $33,920,305 or 72.01%, of the budget. This is an increase of $1,002,868 for the same period last year. Noteworthy variances are:

A. Fiscal Services are higher than last year due to the increase in Debt Service payments for FY 22.

B. Public Safety and Public Works are higher than at this time last year.

Investments

This section contains an investment schedule as of February 28th. Currently the City's funds are earning an average interest rate of 0.24%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of February 2020, January 2022, and June 2021

	February 28 2022	January 31 2022	Increase (Decrease)	AUDITED JUNE 30 2021
ASSETS				
CASH	$ 27,277,212	$ 22,235,704	$ 5,041,508	$ 25,988,510
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,158,887	1,196,474	(37,587)	1,928,565
TAXES RECEIVABLE-CURRENT	18,324,643	21,795,718	(3,471,075)	55,238
DELINQUENT TAXES	404,498	401,870	2,628	809,349
TAX LIENS	597,787	747,604	(149,817)	636,696
NET DUE TO/FROM OTHER FUNDS	(3,050,393)	927,093	(3,977,486)	-
TOTAL ASSETS	**$ 44,712,633**	**$ 47,304,463**	**$ (2,591,830)**	**$ 29,418,358**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (2,356)	$ (1,897)	$ (459)	$ (1,037,281)
PAYROLL LIABILITIES	1,136,681	1,933,735	(797,054)	(846,341)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(28,431)	(34,982)	6,551	-
ESCROWED AMOUNTS	(141,199)	(29,183)	(112,016)	
DEFERRED REVENUE	(19,152,194)	(22,770,564)	3,618,370	(1,551,069)
DUE TO OTHER FUNDS	-	-	-	(3,877,470)
TOTAL LIABILITIES	**$ (18,187,590)**	**$ (20,902,982)**	**$ 2,715,392**	**$ (11,275,956)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (23,526,227)	$ (23,603,845)	$ 77,618	$ (15,143,586)
FUND BALANCE - RESTRICTED	(2,309,553)	(1,364,114)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(689,263)	(1,433,522)	744,259.00	(689,263)
TOTAL FUND BALANCE	**$ (26,525,043)**	**$ (26,401,481)**	**$ (123,562)**	**$ (18,142,402)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (44,712,633)**	**$ (47,304,463)**	**$ 2,591,830**	**$ (29,418,358)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH February 28, 2022 VS February 28, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU FEB 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 31,760,458	63.47%	$ 49,655,498	$ 30,519,100	61.46%	$ 1,241,358
PRIOR YEAR TAX REVENUE	$ -	$ 488,125		$ -	$ 551,259		$ (63,134)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 2,950,728	66.68%	$ 4,112,861	$ 3,116,779	75.78%	$ (166,051)
PENALTIES & INTEREST	$ 120,000	$ 72,736	60.61%	$ 150,000	$ 72,312	48.21%	$ 424
TOTAL TAXES	$ 56,237,450	$ 36,562,094	65.01%	$ 55,338,359	$ 35,664,990	64.45%	$ 897,104
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 201,327	121.28%	$ 166,000	$ 171,431	103.27%	$ 29,896
NON-BUSINESS	$ 300,200	$ 298,970	99.59%	$ 392,400	$ 251,317	64.05%	$ 47,653
TOTAL LICENSES	$ 466,200	$ 500,297	107.31%	$ 558,400	$ 422,748	75.71%	$ 77,549
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 3,608,621	114.56%	$ 2,708,312	$ 2,486,482	91.81%	$ 1,122,139
WELFARE REIMBURSEMENT	$ 90,656	$ 34,414	37.96%	$ 90,656	$ 26,447	29.17%	$ 7,967
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 13,573	42.42%	$ 2,190
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 4,080,390	104.87%	$ 3,459,352	$ 2,947,355	85.20%	$ 1,133,035
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 114,391	62.03%	$ 198,440	$ 95,969	48.36%	$ 18,422
PUBLIC SAFETY	$ 176,600	$ 106,610	60.37%	$ 181,600	$ 109,536	60.32%	$ (2,926)
EMS TRANSPORT	$ 1,250,000	$ 993,181	79.45%	$ 1,200,000	$ 750,828	62.57%	$ 242,353
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,214,182	75.37%	$ 1,580,040	$ 956,333	60.53%	$ 257,849
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 29,456	70.98%	$ 55,000	$ 19,075	34.68%	$ 10,381
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 16,580	41.45%	$ 80,000	$ 35,071	43.84%	$ (18,491)
RENTS	$ 125,000	$ 9,996	8.00%	$ 35,000	$ 31,440	89.83%	$ (21,444)
UNCLASSIFIED	$ 20,000	$ 26,831	134.15%	$ 10,000	$ 139,622	1396.22%	$ (112,791)
COMMERCIAL SOLID WASTE FEES	$ -	$ 37,779		$ -	$ 37,765		$ 14
SALE OF PROPERTY	$ 120,000	$ 33,402	27.84%	$ 25,000	$ 81,020	324.08%	$ (47,618)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 154,741	66.13%	$ 230,000	$ 135,093	58.74%	$ 19,648
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 13,854	69.27%	$ 20,000	$ 12,434	62.17%	$ 1,420
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 293,183	10.11%	$ 2,838,673	$ 472,445	16.64%	$ (179,262)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 42,679,602**	65.51%	**$ 63,829,824**	**$ 40,482,946**	63.42%	**$ 2,196,656**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 20,176,134	69.81%	$ 26,217,074	$ 15,618,568	59.57%	$ 4,557,566
EDUCATION	$ 518,821	$ 505,316	97.40%	$ 717,415	$ 302,063	42.10%	$ 203,253
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ 20,494	2.33%	$ 970,862	$ -	0.00%	$ 20,494
TOTAL SCHOOL	$ 30,298,286	$ 20,701,944	68.33%	$ 27,905,351	$ 15,920,631	57.05%	$ 4,781,313
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 63,381,546**	**66.41%**	**$ 91,735,175**	**$ 56,403,577**	**61.49%**	**$ 6,977,969**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH February 28, 2022 VS February 28, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU FEB 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 104,334	99.51%	$ 99,000	$ 61,185	61.80%	$ 43,149
CITY MANAGER	$ 447,401	$ 364,293	81.42%	$ 776,095	$ 433,687	55.88%	$ (69,394)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 691,631	75.87%	$ 609,260	$ 538,019	88.31%	$ 153,612
CITY CLERK	$ 237,474	$ 151,921	63.97%	$ 216,946	$ 155,520	71.69%	$ (3,599)
FINANCIAL SERVICES	$ 810,303	$ 498,991	61.58%	$ 751,849	$ 481,955	64.10%	$ 17,036
HUMAN RESOURCES	$ 220,250	$ 133,832	60.76%	$ 157,057	$ 97,464	62.06%	$ 36,368
TOTAL ADMINISTRATION	$ 2,731,915	$ 1,945,002	71.20%	$ 2,610,207	$ 1,767,830	67.73%	$ 177,172
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 524,676	58.26%	$ 1,339,047	$ 636,631	47.54%	$ (111,955)
ECONOMIC DEVELOPMENT	$ 108,469	$ 71,852	66.24%				$ 71,852
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 181,386	35.41%				$ 181,386
HEALTH & SOCIAL SERVICES	$ 119,875	$ 67,114	55.99%	$ 199,282	$ 86,477	43.39%	$ (19,363)
RECREATION & SPORTS TOURISM	$ 584,056	$ 380,525	65.15%	$ 520,474	$ 395,776	76.04%	$ (15,251)
PUBLIC LIBRARY	$ 1,052,163	$ 701,442	66.67%	$ 1,031,533	$ 698,440	67.71%	$ 3,002
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 1,926,995	58.80%	$ 3,090,336	$ 1,817,324	58.81%	$ 109,671
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 6,955,516	89.93%	$ 7,577,735	$ 6,859,092	90.52%	$ 96,424
FACILITIES	$ 677,872	$ 464,005	68.45%	$ 667,494	$ 460,030	68.92%	$ 3,975
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 4,295,731	58.57%	$ 6,840,635	$ 4,251,347	62.15%	$ 44,384
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 12,357,652	73.34%	$ 16,189,004	$ 12,209,879	75.42%	$ 147,773
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 3,778,791	69.38%	$ 5,302,131	$ 3,585,464	67.62%	$ 193,327
POLICE DEPARTMENT	$ 4,343,924	$ 2,950,007	67.91%	$ 4,332,339	$ 2,771,684	63.98%	$ 178,323
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 6,728,798	68.73%	$ 9,634,470	$ 6,357,148	65.98%	$ 371,650
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 3,269,260	64.39%	$ 4,979,329	$ 3,029,594	60.84%	$ 239,666
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 573,498	52.62%	$ 1,051,318	$ 607,549	57.79%	$ (34,051)
WATER AND SEWER	$ 792,716	$ 585,902	73.91%	$ 792,716	$ 585,902	73.91%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 4,428,660	63.63%	$ 6,823,363	$ 4,223,045	61.89%	$ 205,615
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 173,644	98.10%	$ 170,000	$ 167,110	98.30%	$ 6,534
E911 COMMUNICATION CENTER	$ 1,161,479	$ 871,109	75.00%	$ 1,134,304	$ 889,540	78.42%	$ (18,431)
LATC-PUBLIC TRANSIT	$ 225,000	$ -	0.00%	$ 331,138	$ -	0.00%	$ -
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,054,753	57.53%	$ 1,905,442	$ 1,066,650	55.98%	$ (11,897)
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 33,920,305**	**72.01%**	**$ 45,932,563**	**$ 32,917,437**	**71.66%**	**$ 1,002,868**
EDUCATION DEPARTMENT	$ 48,341,366	$ 21,378,858	44.22%	$ 45,802,612	$ 24,021,658	52.45%	$ (2,642,800)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 55,299,163**	**57.94%**	**$ 91,735,175**	**$ 56,939,095**	**62.07%**	**$ (1,639,932)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF February 28, 2022

INVESTMENT		FUND	BALANCE February 28, 2022	BALANCE January 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,348,734.83	$ 6,344,838.15	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,732.92	$ 1,051,084.98	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 11,928,290.31	$ 9,487,185.88	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,540.66	$ 52,508.32	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,710.13	$ 339,500.87	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,826.55	$ 226,686.84	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,663.73	$ 62,625.14	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 159,382.64	$ 142,357.48	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,373.32	$ 15,363.86	**0.25%**
NOMURA		ELHS Bond Proceeds	$ 36,870,477.00	$ 48,303,196.00	**0.15%**
GRAND TOTAL			**$ 57,055,732.09**	**$ 66,025,347.52**	**0.24%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of February 28, 2022

	Beginning Balance 2/1/2022	February 2022 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 2/28/2022
Bluecross	**$ 10,197.86**	$ 8,815.60	$ (5,671.15)		$ 2,211.17		**$ 15,553.48**
Intercept	**$ 100.00**	$ -	$ -		$ (100.00)		**$ -**
Medicare	**$ 151,270.00**	$ 132,523.40	$ (50,924.55)		$ (111,109.49)	$ (23,494.61)	**$ 98,264.75**
Medicaid	**$ 56,697.90**	$ 72,265.40	$ (49,879.64)		$ (31,018.00)		**$ 48,065.66**
Other/Commercial	**$ 92,783.91**	$ 20,858.60	$ (21,165.85)		$ (15,579.50)		**$ 76,897.16**
Patient	**$ 124,732.15**	$ 10,717.40	$ (13,147.69)		$ (2,071.22)	$ (3,341.64)	**$ 116,889.00**
Worker's Comp	**$ -**						**$ -**
TOTAL	**$ 435,781.82**	**$ 245,180.40**	**$ (140,788.88)**	**$ -**	**$ (157,667.04)**	**$ (26,836.25)**	**$ 355,670.05**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of February 28, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 8,815.60	$ 74,762.07	3.24%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -		$ 1,000.00	0.04%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 132,523.40	$ 1,351,654.23	58.60%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 72,265.40	$ 507,166.70	21.99%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 20,858.60	$ 256,922.29	11.14%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 10,717.40	$ 108,267.25	4.69%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80		$ 6,808.00	0.30%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 245,180.40	$ 2,306,580.54	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of February 28, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	9	77	2.92%
Intercept	0		4	4	1	1	0	0	10	0.38%
Medicare	244	172	227	174	226	186	168	156	1553	58.87%
Medicaid	82	54	100	64	80	48	60	81	569	21.57%
Other/Commercial	34	32	48	44	51	35	20	22	286	10.84%
Patient	45	19	12	13	15	10	11	11	136	5.16%
Worker's Comp	1	0	2	1	0	0	3	0	7	0.27%
TOTAL	416	287	406	305	385	293	267	279	2638	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of February 28, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 10,151.36	65%	$ -	0%	$ -	0%	$ -	0%	$ 5,402.12	35%	$ 15,553.48	4.37%
Intercept	$ -		$ -								$ -	0.00%
Medicare	$ 58,686.49	60%	$ 12,759.80	13%	$ 5,826.87	6%	$ 3,401.60	3%	$ 17,589.99	18%	$ 98,264.75	27.63%
Medicaid	$ 29,643.31	62%	$ 7,756.48	16%	$ 7,385.87	15%	$ 733.50	2%	$ 2,546.50	5%	$ 48,065.66	13.51%
Other/Commercial	$ 41,841.56	54%	$ 12,139.37	16%	$ 3,565.09	5%	$ 5,035.17	7%	$ 14,315.97	19%	$ 76,897.16	21.62%
Patient	$ 36,174.22	31%	$ 24,373.90	21%	$ 21,206.22	18%	$ 19,325.39	17%	$ 15,809.27	14%	$ 116,889.00	32.86%
Worker's Comp	$ -										$ -	0.00%
TOTAL	$ 176,496.94		$ 57,029.55		$ 37,984.05		$ 28,495.66		$ 55,663.85		$ 355,670.05	
	50%		16%		11%		8%		16%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of February 28, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 44,908.78	$ 264.00	$ 493.66		$ 1,942.39	$ 245.00				$ 15,676.00	$ 157,242.00	$ 109,031.40	$ 2,859.80	$ 7,402.50	$ 2,416.38	$ 11,935.16
Expenditures FY22	$ 143,018.00	$ 39.98			$ 2,428.74	$ 772.01			$ 124.21	$ 15,676.00	$ 277,563.74	$ 154,644.87	$ 3,746.94	$ -	$ 2,379.07	$ 10,964.23
Fund Balance 2/28/2022	**$ 501,095.97**	**$ 6,760.98**	**$ 34,860.01**	**$ 1,221.68**	**$ 4,645.03**	**$ (527.01)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ 11,428.47**	**$ (158,358.95)**	**$ 6,088.00**	**$ 19,998.75**	**$ 4,356.29**	**$ 3,791.86**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 1,142.33	$ 300.00	$ 254,724.04	$ 1,121.75	$ 63,324.00		$ 8,358.37			$ 9,886.13	$ 8,254.01			$ 8,000.00	$ 27.16	$ 181,850.86
Expenditures FY22	$ 1,997.09		$ 457,956.21	$ 305.00	$ 66,683.63	$ (2,600.00)	$ 1,689.97		$ 2,501.72	$ 9,886.13	$ 23,779.22	$ 1,695.00		$ 7,996.88	$ 7,173.19	$ 237,246.04
Fund Balance 2/28/2022	**$ (854.76)**	**$ (8,205.29)**	**$ 1,499,729.52**	**$ 31,387.07**	**$ 9,479.71**	**$ 2,560.00**	**$ 9,397.55**	**$ 20,536.23**	**$ 23,745.32**	**$ -**	**$ 77,499.23**	**$ (1,695.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 21,343.51**	**$ 169,699.64**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22		$ 1,447.98						$ (3,111.14)	$ 47,000.00		$ 2,958.81		$ 204,948.65
Expenditures FY22	$ 1,304.77	$ 3,279.97	$ -	$ (1,610.17)		$ 23,325.00		$ 17,055.95	$ 21,646.39		$ 443,474.80	$ 3,802.50	$ 350,603.20
Fund Balance 2/28/2022	**$ 4,911.03**	**$ (1,831.99)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,388.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,332,383.51**	**$ (3,802.50)**	**$ 106,669.14**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 4,012,014.66
Expenditures FY22			$ 321,865.12	$ 217,459.00	$ 77,327.19	$ 510,286.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 141,180.08	$ 25,046.84	$ 24,946.75	$ 3,687,168.46
Fund Balance 2/28/2022	**$ 158,933.46**	**$ 806,274.01**	**$ 262,126.17**	**$ (506,843.49)**	**$ 532,821.84**	**$ (819,678.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 75,180.65**	**$ 22,987.84**	**$ (101,927.06)**	$ 7,554,802.09

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for February 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of February 28, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of February 28, 2022.

Current Assets:
As of the end of February 2022 the total current assets of Ingersoll Turf Facility were $226,783. This consisted of cash and cash equivalents an increase from January of $48.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of February 28, 2022, were $89,514.

Liabilities:
Ingersoll had no accounts payable as of February 28, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through February 2022 are $124,344. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through February 2022 were $100,005. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of February 2022, Ingersoll has an operating gain of $24,339 compared to $22,828 in January an increase in the gain of $1,511.

As of February 28, 2022, Ingersoll has an increase in net assets of $22,828.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
February 28, 2022
Business-type Activities - Enterprise Fund

		February 28, 2022	January 31, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,783	$ 226,735	$ 48
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,783	226,735	48
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,297	316,249	48
LIABILITIES				
Accounts payable		$ -	$ -	-
Interfund payable		$ 25,120	$ 26,583	(1,463)
Total liabilities		25,120	26,583	(1,463)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 201,663	$ 200,152	$ 1,511
Total net assets		**$ 291,177**	**$ 289,666**	**$ 1,511**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
February 28, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 124,344
Operating expenses:	
Personnel	64,766
Supplies	12,115
Utilities	13,935
Repairs and maintenance	3,633
Rent	-
Depreciation	-
Capital expenses	5,556
Other expenses	-
Total operating expenses	100,005
Operating gain (loss)	24,339
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	24,339
Transfers out	-
Change in net assets	24,339
Total net assets, July 1	266,838
Total net assets, February 28, 2022	**$ 291,177**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through February 28, 2022 compared to February 28, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU FEB 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 6,275	25.10%	$ 25,000	$ 8,825	35.30%
Batting Cages	$ 16,000	$ 13,121	82.01%	$ 13,000	$ 9,280	71.38%
Programs	$ 94,000	$ 39,024	41.51%	$ 90,000	$ 2,337	2.60%
Rental Income	$ 138,000	$ 65,523	47.48%	$ 102,000	$ 31,177	30.57%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 123,943	45.40%	$ 230,000	$ 51,619	22.44%
INTEREST ON INVESTMENTS	$ -	$ 401		$ -	$ 891	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 124,344**	**45.55%**	**$ 230,000**	**$ 52,510**	**22.83%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through February 28, 2022 compared to February 28, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU FEB 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 64,766	48.68%	$ 187,546	$ 75,847	40.44%	$ (11,081)
Purchased Services	$ 15,750	$ 3,633	23.07%	$ 14,450	$ 2,225	15.40%	$ 1,408
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 12,115	484.60%	$ 4,000	$ 718	17.95%	$ 11,397
Utilities	$ 24,150	$ 13,935	57.70%	$ 25,650	$ 7,192	28.04%	$ 6,743
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,556		$ -	$ -		$ 5,556
	$ 191,741	$ 100,005	52.16%	$ 250,146	$ 85,982	34.37%	$ 14,023
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 100,005**	**52.16%**	**$ 250,146**	**$ 85,982**	**34.37%**	**$ 14,023**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for February 28, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of February 28, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities, and net assets and shows a comparison to the previous month, in this case, January 31, 2022.

Current Assets:
As of the end of February 2022 the total current assets of Norway Savings Bank Arena were ($1,062081). These consisted of cash and cash equivalents of $275,258, accounts receivable of $190,627, and an interfund payable of $1,527,966.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of February 28, 2022 was $195,258.

Liabilities:
Norway Arena had no accounts payable as of February 28, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through February 2022 are $761,967. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals.

The operating expenses for Norway Arena through February 2022 were $392,941. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of February 2022, there was an operating gain of $369,026.

As of February 28, 2022, Norway Arena has an increase in net assets of 369,026.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $426,999 more than in FY21 and expenditures in FY22 are $19,881 more than last year in February.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
February 28, 2022
Business-type Activities - Enterprise Fund

		February 28, 2022	January 31, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 275,258	$ 269,729	$ 5,529
Interfund receivables		$ (1,527,966)	$ (1,590,558)	$ 62,592
Prepaid Rent				$ -
Accounts receivable		190,627	157,621	$ 33,006
	Total current assets	(1,062,081)	(1,163,208)	101,127
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(866,823)	(967,950)	101,127
LIABILITIES				
Accounts payable		$ -	$ -	$ -
Net OPEB liability		$ 43,811	$ 43,811	$ -
Net pension liability		42,634	42,634	-
Total liabilities		86,445	86,445	-
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,148,526)	$ (1,249,653)	$ 101,127
Total net assets		**$ (953,268)**	**$ (1,054,395)**	**$ 101,127**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
February 28, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 761,967
Operating expenses:	
Personnel	142,248
Supplies	46,040
Utilities	150,876
Repairs and maintenance	22,837
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	392,941
Operating gain (loss)	369,026
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	369,026
Transfers out	-
Change in net assets	369,026
Total net assets, July 1	(1,322,294)
Total net assets, February 28, 2022	**$ (953,268)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through February 28, 2022 compared to February 28, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU FEB 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 12,500	75.76%	$ 16,500		0.00%	$ 12,500
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 779	38.95%	$ 3,000		0.00%	$ 779
Games Vending Machines	$ 3,000	$ 1,093	36.43%	$ 3,000		0.00%	$ 1,093
Vending Food	$ 2,000	$ 148	7.40%	$ 3,000	$ 5	0.17%	$ 143
Sponsorships	$ 185,000	$ 154,951	83.76%	$ 230,000	$ 89,950	39.11%	$ 65,001
Pro Shop	$ 7,000	$ 4,622	66.03%	$ 7,000	$ 4,503	64.33%	$ 119
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 683,500	$ 554,504	81.13%	$ 727,850	$ 226,550	31.13%	$ 327,954
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 13,960	27.92%	$ 10,900
Tournaments	$ 50,000	$ 8,085	16.17%	$ 55,000		0.00%	$ 8,085
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 761,967	74.34%	$ 1,122,850	$ 334,968	29.83%	$ 426,999

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through February 28, 2022 compared to February 28, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU FEB 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU FEB 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 142,248	41.91%	$ 328,913	$ 142,781	43.41%	$ (533)
Purchased Services	$ 123,928	$ 53,777	43.39%	$ 120,000	$ 71,578	59.65%	$ (17,801)
Supplies	$ 79,000	$ 46,040	58.28%	$ 83,000	$ 41,689	50.23%	$ 4,351
Utilities	$ 250,350	$ 150,876	60.27%	$ 244,650	$ 117,012	47.83%	$ 33,864
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 392,941	47.05%	$ 826,563	$ 373,060	45.13%	$ 19,881
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 392,941**	**47.05%**	**$ 826,563**	**$ 373,060**	**45.13%**	**$ 19,881**

Special Meeting Agenda
March 28, 2022
Auburn Hall, Council Chambers

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Whiting

Pledge of Allegiance

I. Presentation- Court Street/City Core Zoning Amendments
Michael Malloy, City Attorney and Eric Cousens, Director Planning and Permitting

II. Unfinished Business

1. **Ordinance 11-03212022**
Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).
Public hearing and second reading.

III. New Business

1. **Order 46-03282022**
Directing the Planning Board to review the proposed text and map amendments to the Court Street/City Core of Urban Residential Area to Traditional Neighborhood District Areas; review the T-4.2B District text, hold a public hearing and forward a recommendation back to the City Council.

IV. Adjournment

THE MALLOY FIRM
Attorney. Advisor. Advocate.

March 24, 2022

VIA EMAIL

Eric Cousens, Director of Planning & Permitting
City of Auburn
60 Court Street
Auburn, Maine 04210

Re: Court Street/City Core Zoning Amendments

Dear Eric:

We have been asked whether, at its upcoming meeting on March 28, the City Council may adopt a zoning map amendment while simultaneously revising the characteristics of an existing district through a text change that has not yet been drafted. For the reasons stated below, the Council may vote on the map amendment as originally proposed, but it may not alter the text of the zoning ordinance without submitting those changes to the Planning Board and following the customary procedure.

Sections 60-1445 through 60-1496 of the City Code govern amendments to Auburn's zoning ordinance or map. In general, proposed changes to the zoning map or text must be vetted by the Planning Board following due notice and public hearing, prior to action by the City Council. I direct your attention to Section 60-1446, which, in essence, permits a proposed map change to move through the consideration process based on drawings alone. In this way, permitted uses of land can be altered without the need to change an ordinance itself. In other words, a map amendment can change where a zoning rule applies, but it may not change the rule itself. By contrast, if a new district is to be created, or if the permitted uses within an existing district are to shift, that would constitute a change in the rule itself, and for the Council to request a change to the zoning rule itself, it must first send the proposal to the Planning Board.

See Section 60-1447, which states:

> *Each proposal to change any zoning ordinance text (other than a change of zoning district name or zoning boundary description) shall include the wording then current, the words of change, the wording if so amended and a statement of the reasons for such change, showing how such a change would affect the public health, safety, convenience and welfare.*

Michael S. Malloy, Esq.
TEL 207-333-6700
2 Great Falls Plz., Ste. 6B-2
P.O. Box 3171
Auburn, ME 04212-3171
MALLOYFIRMMAINE.COM
msm@malloyfirmmaine.com

In the proposal to come before the Council on March 28, there is no proposed text change. The Council may not create such a change on Monday night and codify that text as an ordinance in the same meeting. It therefore has the following options:

1. The Council may vote whether to approve he map amendment as first proposed, which would extend the existing Zone T-4.2, as it presently exists, to the Court Street neighborhood; or

2. It may propose new language whether that be the creation of a new district or the alteration of an existing district's characteristics, and send the proposed text to the Planning Board for consideration, subject to customary notice and hearing requirements.

Please let me know if you have questions or if I can provide any additional guidance on these matters to you or the Council.

Sincerely,

Michael S. Malloy

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: March 28, 2022 **Ordinance:** 11-03212022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2

Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended as follows: *Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 15 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

The Planning Board reviewed this proposal and provided a positive recommendation (attached) at the March 8, 2022 meeting. The staff report from that meeting is also attached. The Council voted to edit the text of the T-4.2 district to address information and concerns raised in the public process at the 3/21/22 Council Meeting. Staff applauds the Councils edits as a positive improvement for the development of the ordinance covering the Court Street/City Core of Urban Residential Area, however, the changes made the proposed map amendment into a map and text amendment. This text change would also limit density and mixed use in the existing Urban Core of the T-4.2 district which we believe was not the intent of the Council or the goal of the Comprehensive plan for the area. Procedurally, the attached legal opinion provides guidance on the best way to accomplish the goals of the ordinance and the Council amendment to the draft that passed on first reading last week. That process involves two steps tonight: Step 1. Vote not to pass the current version. To do this, the Council can make a motion to pass the proposed ordinance and vote against it; Step 2. The second item on tonight's agenda is to forward a text and map amendment of the Court Street/City Core of Urban Residential Area to the Planning Board for public hearing and a recommendation to the Council.

One other option exists but is not recommended. The Council could pass the existing T.4.2 standards (without amendments proposed on 3/21/22) over a portion of the land area mapped and discussed by Planning Board and Council. As requested, we have provided a map of the larger lot area along Court Street that defines the largest block of undeveloped land along Court Street as Exhibit C Revised/Limited.

Staff Recommended Action: Staff suggests council discuss the proposed changes, hold a public hearing and vote NO on the proposed ordinance change as amended on 3/21/22.

Previous Meetings and History: January 3rd Council Discussion Initiation, March 21,2022 Council First Reading and January 11, 2022, February 8th and March 8, 2022 Planning Board.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

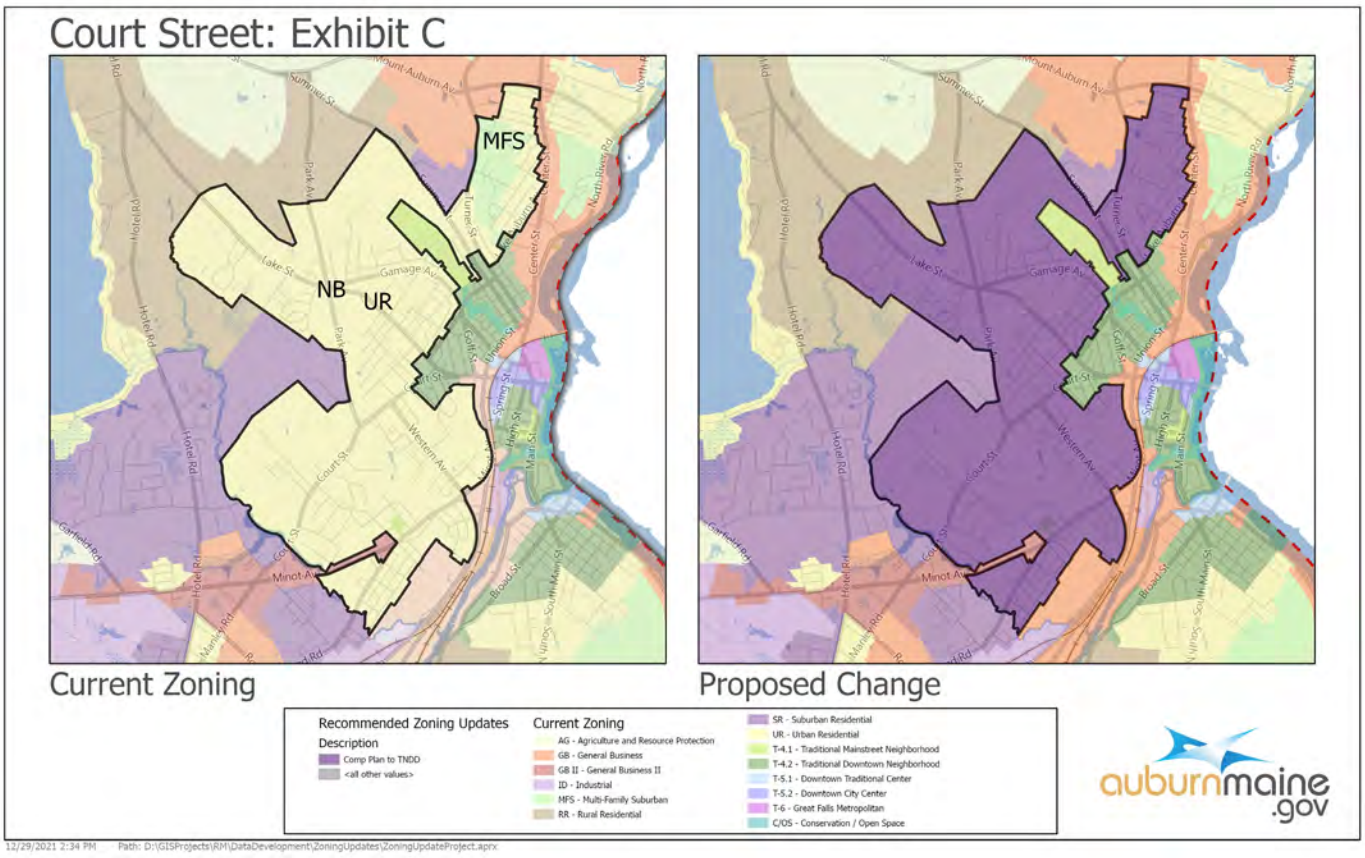
Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Planning Board Recommendation, Ordinance, Exhibit B Ordinance Update T-4.2

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing Court Street/Urban Core Area Zoning Considerations from 2021 Updated Comprehensive Plan for Zoning Map Amendment.

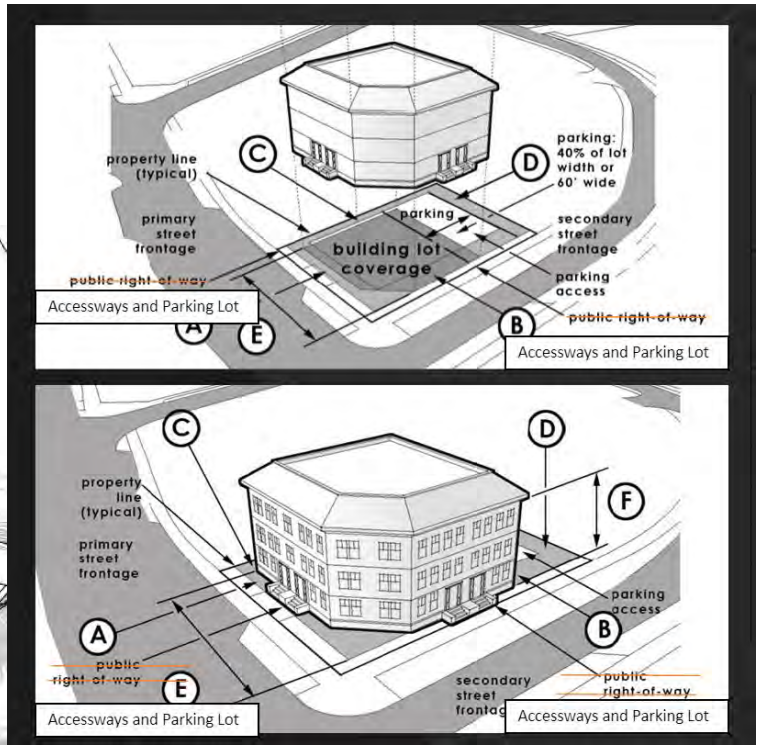
Date: March 8th, 2022

PROPOSAL #1: **Court Street/City Core of Urban Residential Area;** 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2 (See below Exhibit C.)



PROPOSAL #2: **Front Setback as Accessways and Parking Lots;** Multifamily units development opportunities should be considered as its own neighborhood setting allowing setbacks not just from public

ways, but also private ways, private parking and private sidewalks. See illustration below for example.



PROPOSAL #3 Utilize Public Parking in all Formed Based Code; Sec. 60-554, Notes (2) *Parking requirements in T-4.1, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 15 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot

to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board discuss the proposals and continue a Public Hearing on March 8, 2022. Staff then recommends that the Board forward a positive recommendation to the Council supporting the proposed changes, 1.) To amend the proposed boundary be adjusted from Urban Residential to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code.

II. based on the following findings.

SUGGESTED FINDINGS AND REASONS:

1. The 2010 and now 2020 Comprehensive Plan recommend expanding the Formed Base zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-4.2.
2. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (Sewer, water, power, high speed internet, gas & roads)
3. The proposal can be implemented without detriment to city resources.

III. *Suggested Motion:* 1*.)* I make a motion to recommendation to City Council to amend the proposed boundary be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Auburn Planning Board

Re: Findings and Reasons for the recommendation to the Council on a Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas; T-4.2

Date: March 8, 2022 Planning Board Meeting

The Planning Board forwarded a positive recommendation to the Council on this proposal at the March 8, 2022 Planning Board meeting.

The Board passed a motion to recommend to City Council to amend the proposed boundary be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C. 2.) Define building front setbacks in all formed base code as accessways and parking areas. 3.) Utilize public parking in all formed based code. The Motion passed 4 in favor, 3 against, based on the following findings.

FINDINGS AND REASONS:

1. The 2010 and now 2020 Comprehensive Plan recommend expanding the Formed Base zoning in this area to include the area proposed on the map. This can be accomplished without creating a new district by using the existing T-4.2.
2. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (sewer, water, power, high speed internet, gas & roads)
3. The proposal can be implemented without detriment to city resources.

Chapter 2 - Future Land Use Plan

The Future Land Use Plan shows graphically how the City's land use policies apply to the land area of the community, and where and how growth and development should and should not be accommodated over the next decade. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. The intention is that this Future Land Use Plan will guide near-term revisions to the City's zoning ordinance and maps to assure that the City's land use regulations are consistent with the policies set forth in this *Comprehensive Plan*. In addition, by designating transitional districts, the Future Land Use Plan is designed to guide future zoning changes when the circumstances become appropriate.

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the historic cores (downtown, Danville, New Auburn, West Auburn and East Auburn) and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services. This plan does not favor "leapfrog" development in the outlying sections of the City. This pattern is often referred to as "suburban sprawl," and is not considered desirable for Auburn. The effect of continuing this long-standing principle is to guide most new development into the area south of Lake Auburn and Taylor Pond and around potential passenger rail and turnpike exits (**See Section G: Transportation Policies**). Figure 2.1 identifies these areas as the City's Growth Area and Limited Growth Area; they are depicted in the brown and tan colors. (Please note: Map update is pending and the referenced figures will need to be revised for the final publication).

The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City's zoning ordinance and other land use regulations. In the preparation of the revised zoning provisions, some of the designations may be combined or rearranged to create a workable number of zoning districts

Organization of the Future Land Use Plan

The Future Land Use Plan is organized around the concept of growth and rural (or limited growth) areas set forth in the state's Growth Management Law. The state defines a "growth area" as an area that is designated in the city's comprehensive plan as suitable for orderly residential, commercial, or industrial development, and into which most development projected over ten years is directed. The state defines a "rural area" as an area that is designated in the comprehensive plan as deserving of some level of regulatory protection from unrestricted development for purposes such as supporting agriculture, forestry, mining, open space, habitat protection, or scenic lands, and from which most development projected over ten years is diverted. The state also recognizes the concept of "transitional areas," or areas that are suitable to accommodate a share of projected development, but at lower levels than a growth area, and without the level of protection accorded to rural areas.

The terminology of the state law – growth, rural, and transitional – can lead to confusion. The three terms are used to indicate the desired/anticipated level or share of future growth and development that will occur in the three areas -- but the terms do not indicate that in common usage. For example, an undeveloped floodplain within the built-up area might be identified as a non-growth area but labeling it as "rural" can be misleading. Similarly calling an established residential neighborhood a "transitional" area or a "growth" area can also be misleading if the objective is to maintain the neighborhood "as is".

Future Land Use Categories

For the purpose of the Future Land Use Plan, three basic growth categories are used based upon the standards set out by the state and the desired level of future development in the City (see Figure 2.1 following page):

1. GROWTH AREAS – Areas where the City wants growth and development to occur. The anticipation is that most residential and non-redevelopment over the next ten years will occur in these growth areas.

2. LIMITED GROWTH AREAS – Areas that have limited development potential or that have vacant or under-utilized land where the City desires a limited amount of growth and development over the next ten years.

3. NON-GROWTH AREAS – Areas that are either unsuitable for development or in which the City desires to see little growth and development over the next ten years.

Future Land Use Types

The three categories of growth, limited growth, and non-growth specify where the City wants to accommodate growth and development and where it wants to discourage or prohibit it. The Comprehensive Plan is intended to be a guide upon which zoning ordinances are based and is not intended to serve as a regulatory document. A comprehensive rezoning should be completed after adoption of the Comprehensive Plan to match the suggestions in this plan with flexibility for future changes.

Type A: Development Areas – Areas with a significant amount of vacant or underutilized land that are capable of supporting new residential or nonresidential development in accordance with the City's land use objectives. New development within these areas is generally encouraged.

Type B: Transition/Reuse/Redevelopment Areas – Developed areas where the City's policy is to encourage the type of use and/or pattern of development to change over time. New development, redevelopment, or the reuse of existing land and buildings that moves the area toward the desired future use is encouraged. Some transition areas designated in the Future Land Use Plan identify the desired future use of the area, but the City's zoning may not be changed until a future point in time when development is appropriate – in a sense these are

"planned future transition areas". The City's use of the term transition area differs from the way this term is used by the state in the Growth Management Law.

Type C: Protection/Reserve Areas – Largely undeveloped areas that should remain undeveloped for at least the next ten years. These areas include land with significant development constraints that should not be developed, as well as land that is not appropriate for development at this time, but that may be designated for development in the future.

Figure 2.2 on the following page shows the types of land use areas organized by the three growth categories.

Residential Densities

The Future Land Use Plan sets out the recommended pattern and intensity of development in various areas of the City. The Future Land Use Plan establishes the desired maximum intensity or density of residential development in the various land use designations.

The following table sets out the various categories of density used in the Future Land Use Plan. The maximum allowed density is expressed in the number of housing units per acre based on the gross development density. (An acre is 43,560 square feet – the playing surface of a football field is about 1.3 acres). For each density category, a maximum suggested density is provided to allow some flexibility in the establishment of the revised zoning regulations. This is not to imply that the revised zoning should strive to meet the maximum density.

Residential Density Categories	
Category	**Maximum Density**
Traditional Neighborhood	16 units per acre
Suburban	8 units per acre
Residential	2 units per acre
Rural	1 unit per 3 acres + additional dwelling unit

Future Land Use Designations

The following sections outline the various land use designations used in the Future Land Use Plan. The designations are organized by growth category and by the type of area. The description of each designation includes a series of land use districts that define the general pattern of development. Each district includes an ***objective*** for the general pattern and type of development that is desired together with the general types of uses (***allowed uses***) that are appropriate in the designation and an outline of the ***development standards*** including the density/intensity of development. The location of these various land use districts are shown on the accompanying Future Land Use Plan Map (see Figure 2.3 on the following page).

In addition to the Future Land Use Map, four detail maps (Figures 2.4, 2.5, 2.6 , and 2.7) show the future land use designations for specific portions of the community, including Downtown, New Auburn, Minot Avenue, and Center Street.

FUTURE LAND USE PLAN VISION STATEMENT:

As a model of carefully managed growth, Auburn seeks to **grow outward from the historic cores within our city** and be known for its **strong, vibrant neighborhoods**. The city is committed to making careful, effective, and **efficient use of land and corresponding services, while strengthening the character of our neighborhoods**, ensuring that resources exist to maintain and enhance the quality of life for current and future residents. Auburn's continued commitment to **strong community connections,** embracing opportunity, and mindful growth should be **balanced with natural resource conservation** and woven into the city's unique identity.

1. GROWTH AREAS –

Type A: Development Areas

Designation: Residential

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3 and 2.7). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should

be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

SUBURBAN DEVELOPMENT DISTRICT (SD)

Objective – Allow for the development of a limited range of residential and community uses at a density of up to 6-8 units per acre in areas that are served or can be served by public/community sewerage and/or public/community water (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Suburban Development District generally follows the boundaries of the Multifamily Suburban and Suburban Residential Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Suburban Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Recreational Uses of Land
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 8 units per acre with no minimum road frontage required, shared driveways are encouraged. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-20 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

Designation: Nonresidential and Mixed Use

FORM-BASED CODE DEVELOPMENT DISTRICT (FBCD)

Objective – Stabilize and promote continued investment in the City's high-density neighborhoods which include a mix of housing types including multi-unit buildings to assure that they remain safe, attractive areas in which residents want to live (see Figures 2.3 and 2.4). To this end, the district should allow property owners to upgrade their properties, and for infill development and redevelopment/reuse to occur, as long as it is compatible with the character of the neighborhood.

Allowed Use – The Form-Based Code Development District generally follows the boundaries of the Form-Based Code (Transects 4.1, 4.2, 5.1, 5.2 and 6), in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Form-Based Code Development District:

- Low and High Density Residential Dwelling Units
- Home Occupations
- Civic Uses
- Office/Service Type Uses
- Retail Type Uses

Development Standards – The reuse/reconfiguration of existing buildings for residential purposes should be allowed without consideration of density/lot size requirements, provided that

the building will be renovated, be compatible with the neighborhood, and will meet the City's requirements for residential units, including green space and providing the amount of parking appropriate for the proposed use. The other development standards should be established to reflect the existing pattern of development in these neighborhoods. Any parking requirements imposed should allow for flexibility in meeting the need for parking including the use of municipal parking, shared parking, and similar arrangements.

COMMERCIAL DEVELOPMENT DISTRICT (GBD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic (see Figures 2.3 and 2.5) the District should allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses – The Commercial Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services
- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the Commercial Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

INDUSTRIAL DEVELOPMENT DISTRICT (ID)

Objective – Accommodate the development and expansion of a wide range of nonresidential industrial-type uses to create employment opportunities and commerce (see Figure 2.3). The land within the district should be viewed as a limited resource that should be carefully managed so that it is not used for activities that can occur in other areas of the City.

Allowed Uses – The Industrial Development District generally follows the boundaries of the Industrial District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed in the Industrial Development District:

- Industrial uses including manufacturing, assembly, and research and development facilities
- Distribution and storage uses including wholesale sales, warehousing, and truck terminals/distribution facilities
- Transportation facilities including the airport and related uses and transportation terminals and multi-modal facilities
- Office uses
- Building material and lumber yards
- Vehicle and equipment repair facilities
- Hotels and motels
- Community services and governmental uses
- Agricultural uses

Residential uses should not be allowed in this district. Retail and service uses should be limited to activities that primarily support the other uses within the district such as service stations, convenience stores, and restaurants. Other retail and service activities should not be allowed in this district.

Development Standards – The development standards within the Industrial Development District should:

- Establish performance standards to assure that uses are good neighbors and do not create adverse impacts on surrounding properties or the community at-large
- Establish buffers where the district abuts residential districts to minimize the impacts on those residential properties
- Establish site design and landscaping standards to assure that development functions well and is visually attractive when viewed from public streets or other public areas

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective –.
To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi

dwelling development with up to three stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street.This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (UNION/CENTER/TURNER) (CFBCGD-UCT)

Objective –.
To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-UCT should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of the Union/Center/Turner Street neighborhood from a commercial zoning district to a future Form-Based Code Commercial Development District, matching the adjacent Form-Based Code designations. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – UCT generally follows the boundaries of the existing General Business areas along the Union/Center/Turner Street corridor, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The Commercial Form-Based Code Gateway Development District – UCT should allow for medium-scale, multi dwelling development with up to four stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for

new development, encouraging shallow or no front setbacks, screen parking areas from the street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such as manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Union/Center/Turner Streets. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

VILLAGE OVERLAY AREAS (VOA)

Objective – In residential Future Land Use Districts, small commercial operations should be allowed provided they do not exceed the average lot size of the neighborhood (or more than two times the average size of the home). As part of the comprehensive rezoning, the City should identify village overlay areas where these small commercial operations are most appropriate, such as corner lots. Considerations for appropriate areas should include: frontage on a major arterial as defined in the Comprehensive Plan, access to any required parking be located on the arterial frontage, buffering of any parking areas from lot lines and signage limitations.

PLANNED UNIT DEVELOPMENTS (PUD)

Objective – As part of the comprehensive rezoning process, the City should continue to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to consider and make available open space, to utilize new technologies for land development and to offer a flexible alternative to conventional land control regulations by allowing for Planned Unit Developments for residential, commercial and industrial projects. The type and amount of development permitted should continue to be based on the Planning Board's evaluation of the development proposal and the purposes set forth in the 2021 Auburn Code of Ordinances. The City should continue with the four types of Planned Unit Developments: Residential, Recreation/Residential, Commercial and Industrial and apply them to the newly proposed Future Land Use Designations after a comprehensive rezoning has taken place.

2. LIMITED GROWTH AREAS –

Type A: Development Areas

Designation: Residential

RESIDENTIAL DEVELOPMENT DISTRICT (LDD)

Objective – Allow for the development of residential and community uses at a density of up to 2 units per acre in areas on the fringe of the built-up area where public services can be reasonably provided, but where public sewerage is not available and is not likely to be available in the foreseeable future (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads. Shared driveways should be encouraged by providing a 20% reduction in lot size and road frontage.

Allowed Uses – The Residential Development District generally follows the boundaries of the Rural Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Low-Density Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses

- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – Residential uses should be allowed at a density of up to 2 units per acre. Lot frontage requirements on existing collector and other through roads should be around 100 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 20 feet. Side and rear setbacks should be 15-30 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix _). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

3. NON-GROWTH AREAS –

Type C: Protection/Reserve Areas

Designation: Conservation/Open Space

CONSERVATION/OPEN SPACE DISTRICT (COS)

Objective – Formally recognize those parcels that are used for cemeteries, water quality protection or are protected for conservation or open space purposes (see Figure 2.3). The land included within this district will change over time as additional land is conserved. The intent of this designation is to establish a policy that these types of properties/uses should be recognized as important resources and that any significant change in use should be considered a policy decision.

Allowed Uses – The allowed uses within the Conservation/Open Space District should be limited to low intensity recreational facilities and natural resource uses including forestry and food production.

Development Standards – The development standards should provide flexibility for the appropriate use of the land, while protecting its natural resource and ecological values.

AGRICULTURE DISTRICT (AG)

Objective – Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low-density development pattern that limits sprawl and minimizes the City's service costs. The district maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and as a means to provide reasonable public access to outdoor destinations such as Lake Auburn and the Androscoggin River. The Agriculture District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

Allowed Uses – The Agriculture District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally related businesses including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses.

Residential uses should continue to be limited to accessory residential development as part of a commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that consider the economic realities of today's commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved.

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture District should be required to meet "best management practices" for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

The City should continue to encourage a very low density development pattern as a means of protecting natural resources and preserving the rural character. The basic residential density standard for the current AG/RP zoning district should be maintained. The standards for the development of accessory residential units should provide greater flexibility in the siting of those units. In an effort to place accessory residential development in areas where it will have the least impact on natural resource and/or the agricultural value of the land, the standards should allow for a waiver or elimination of road frontage requirements and access from a private driveway.

Residential development that is proposed as part of a master planned commercial recreational development should be limited to the same density standard (one unit per 10 acres) as other accessory residential uses, unless necessary for economic reasons to increase the density as a

project incentive. A recreational master plan should be required outlining the scope, scale, and location of residential units and ensuring a cluster development pattern in which the majority of the land is retained as recreation/open space. A conservation easement, or other legally binding preservation measure, should be required to permanently conserve the recreation/open space areas.

As part of the 2021 Comprehensive Plan update, it is understood that agriculture and forestry **may not** be profitable in some areas of the City and the existing Agriculture and Resource Protection Zoning, in some cases, eliminates the economic use of private land. The City should create a mechanism in which private landowners can petition the City for a change of use based on the individual circumstances of their lot(s).

The City also recognizes differences between Agriculture and Resource Protection, and as such it is recommended that the districts be treated separately within the zoning ordinance (Agricultural District and Conservation/Open Space District). This committee acknowledges that in practice there is overlap between Agriculture and Resource Protection, and that the conversation about how to distinguish the two should include a broad group of voices including residents, relevant City Committees (Conservation Commission, Agriculture Committee, etc) and experts who can support the City in meeting its goal to untangle these activities.

	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)

Intent and Purpose:
Traditional Downtown Neighborhood (T-4.2)

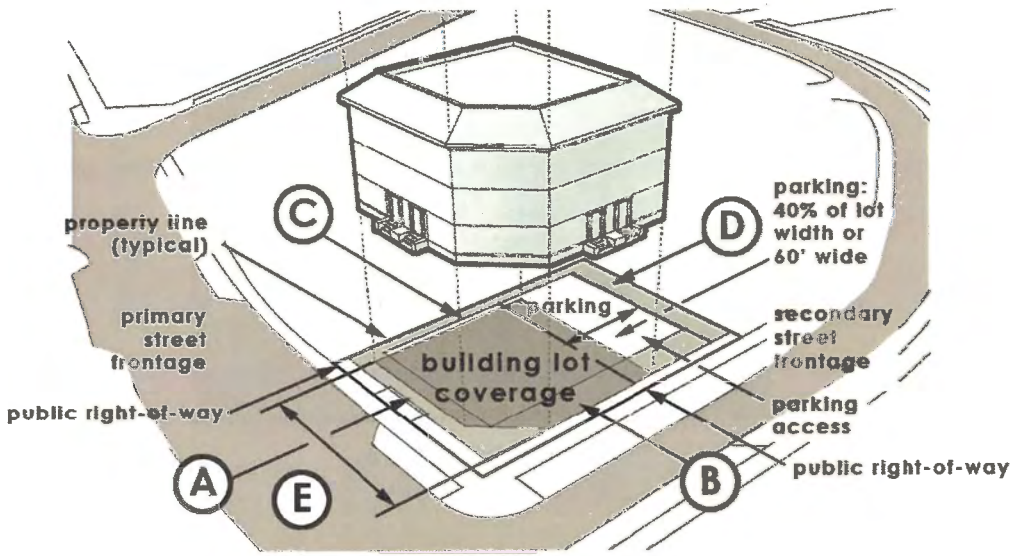
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

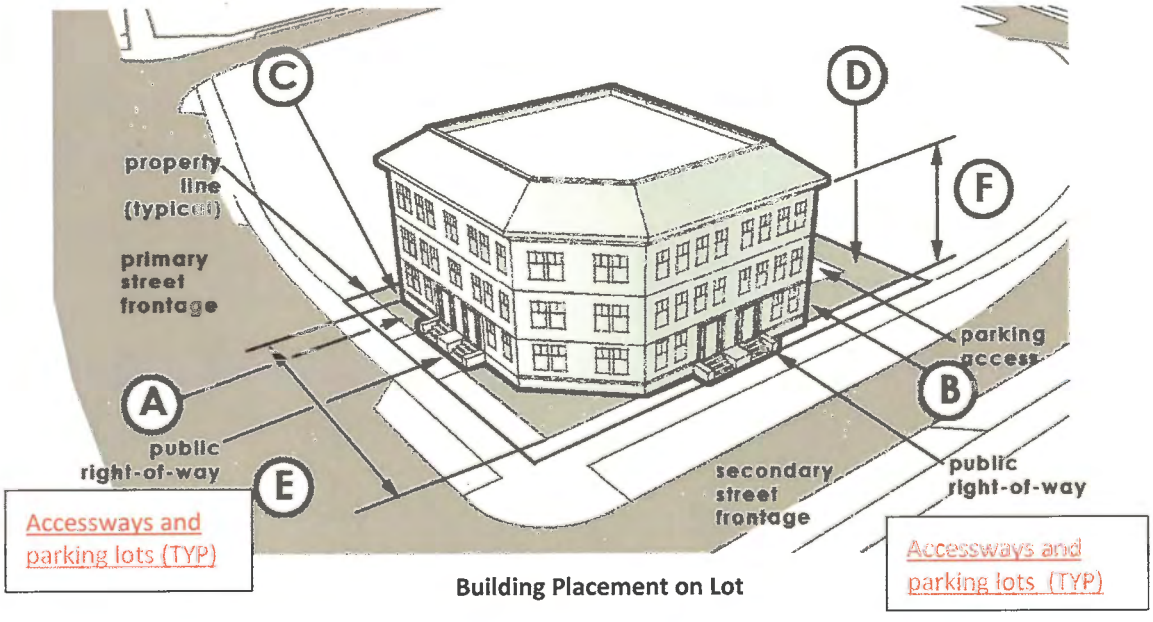
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1. Building placement and configuration T-4.2.



Elevated Building Placement

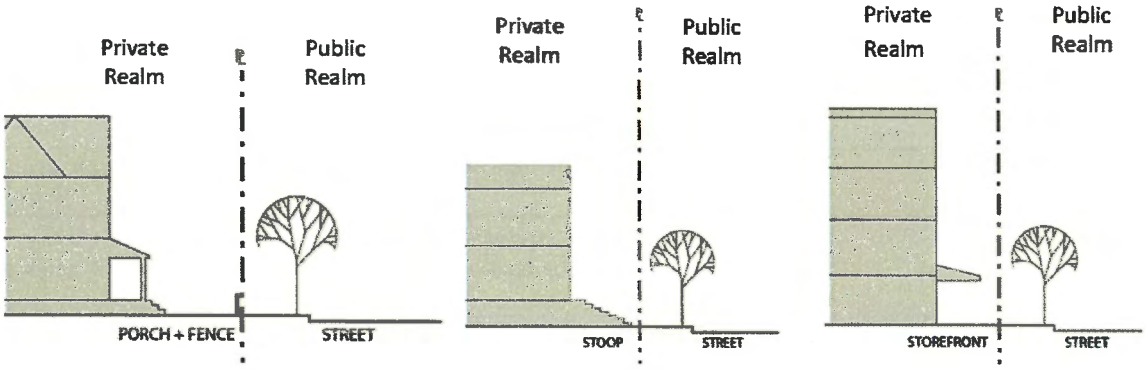


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2.



Common or Porch YardStoop Yard FrontageStorefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2 (4)	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use						
Single Family	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	~~P~~ S	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	~~S~~P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	~~P~~ S	P	S	X	1 sp/guestroom plus
						1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	None
Medical and Dental Clinics	S	S	P	P	P	None
Personal Services	S	S	P	P	P	None
Retail Type Use						

General Retail	S	S	P	P	P	None
Age Restricted Retail (3)	S	~~S~~ X	S	S	S	None
Specialty Shops	S	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		~~S~~ X	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	P	P	P	None
Civic						
Church or Places of Worship	S	S	P	P	P	None
Government Offices	X	~~X~~ S	P	P	P	None
Art Galleries	S	P	P	P	P	None
Transportation Facilities	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within ~~1,000~~ 500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 Sf footprint and must have an upper floor residential unit, with drive- through access not allowed.

(5) Density of 14 dwelling units per net acre, unless special exception, subject to planning board approval.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

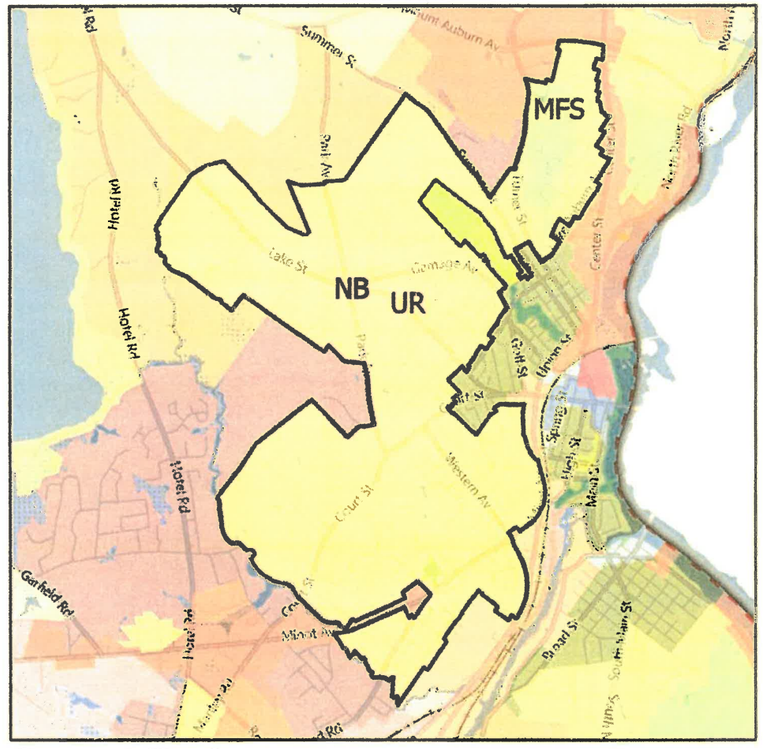
(1) The form based code shall regulate areas designated as form based code districts.

(2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

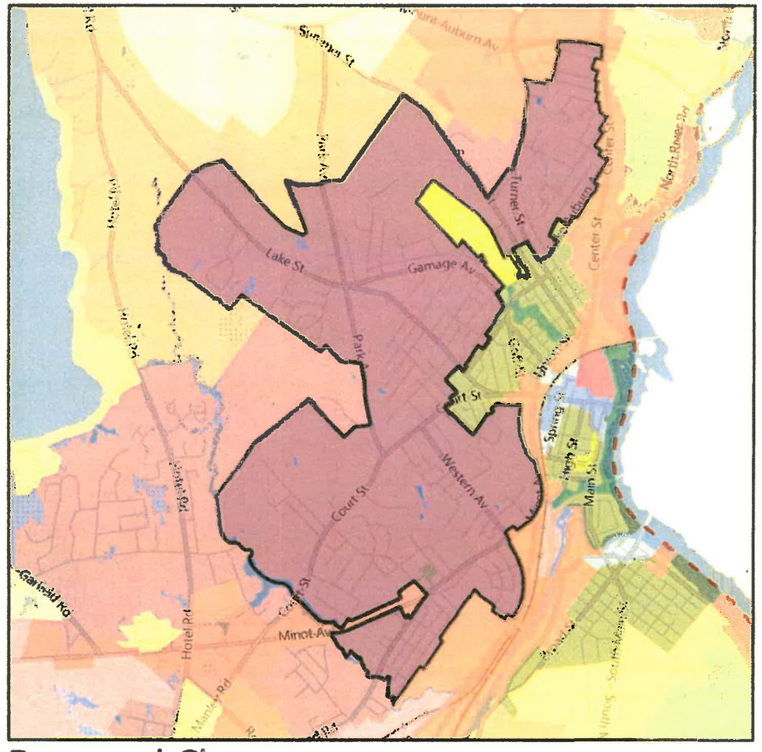
(3) Site plan/special exception. Any project located within a form based code district that requires special exception or site plan review shall comply with section 60-45.

Proposed Urban Residential to Traditional Neighborhood Development District Area:T-4.2 (1,687.41 Acres)

Court Street: Exhibit C



Current Zoning



Proposed Change

Recommended Zoning Updates	Current Zoning	
Description	AG - Agriculture and Resource Protection	SR - Suburban Residential
Comp Plan to TNDD	GB - General Business	UR - Urban Residential
<all other values>	GB II - General Business II	T-4.1 - Trasitional Mainstreet Neighborhood
	ID - Industrial	T-4.2 - Traditional Downtown Neighborhood
	MFS - Multi-Family Suburban	T-5.1 - Downtown Traditional Center
	RR - Rural Residential	T-5.2 - Downtown City Center
		T-6 - Great Falls Metropolitan
		C/OS - Conservation / Open Space

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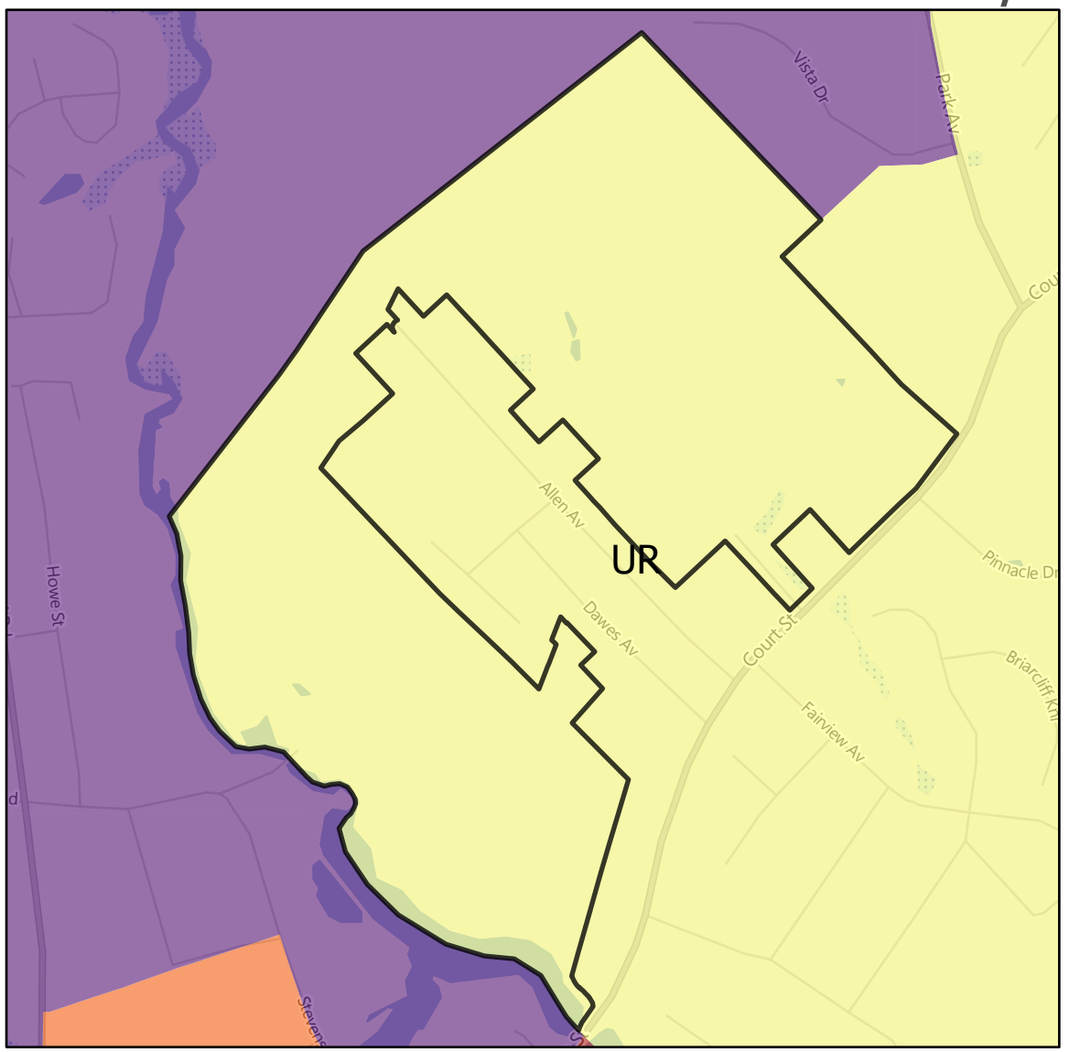
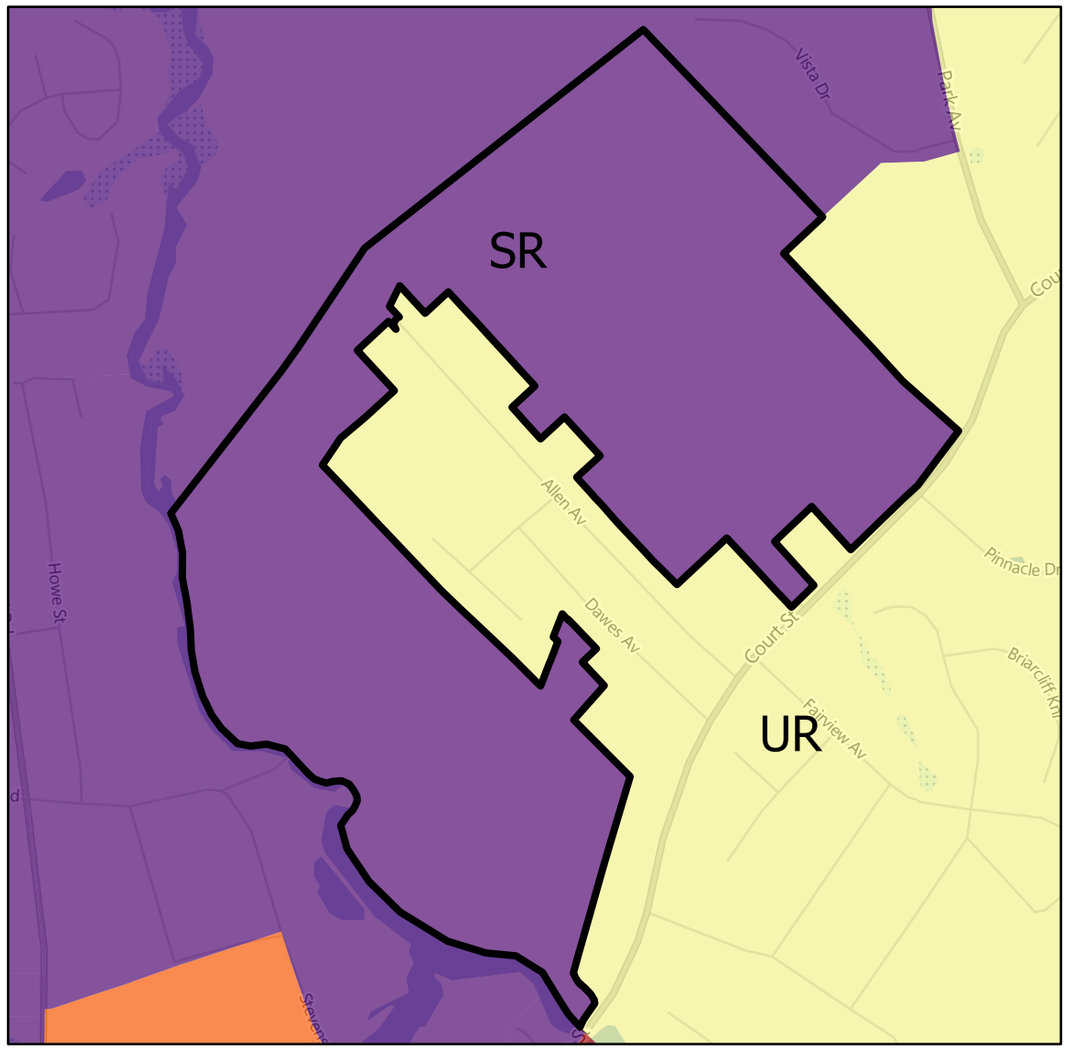
12/29/2021 2:34 PM Path: D:\GISProjects\RM\DataDevelopment\ZoningUpdates\ZoningUpdateProject.aprx

Court Street: Exhibit C - Revised / Limited



Current Zoning



Proposed Change

Legend

- GB - General Business
- GB II - General Business II
- SR - Suburban Residential
- UR - Urban Residential

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ORDINANCE 11-03212022

City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend the boundary be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C attached, and amended text of Traditional Downtown Neighborhood T-4.2, Sec. 60-554 found in Exhibit B attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: March 28, 2022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood District Areas; T-4.2B

Information: The comprehensive plan update adopted on December 6, 2021 identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended as follows: *Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 15 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

The Planning Board and Council considered an approach to this that staff has recommended be voted down in favor of a new approach to create a new zoning district that better fits the area and incorporates a map and text component as the Council voted to do on 3/21/2022. A draft of the text and map are attached.

Staff Recommended Action: Staff suggests council discuss the proposed changes and vote to send the revised text of the T-4.2B district and Map on Exhibit C to Planning Board for public hearing and recommendation to Council.

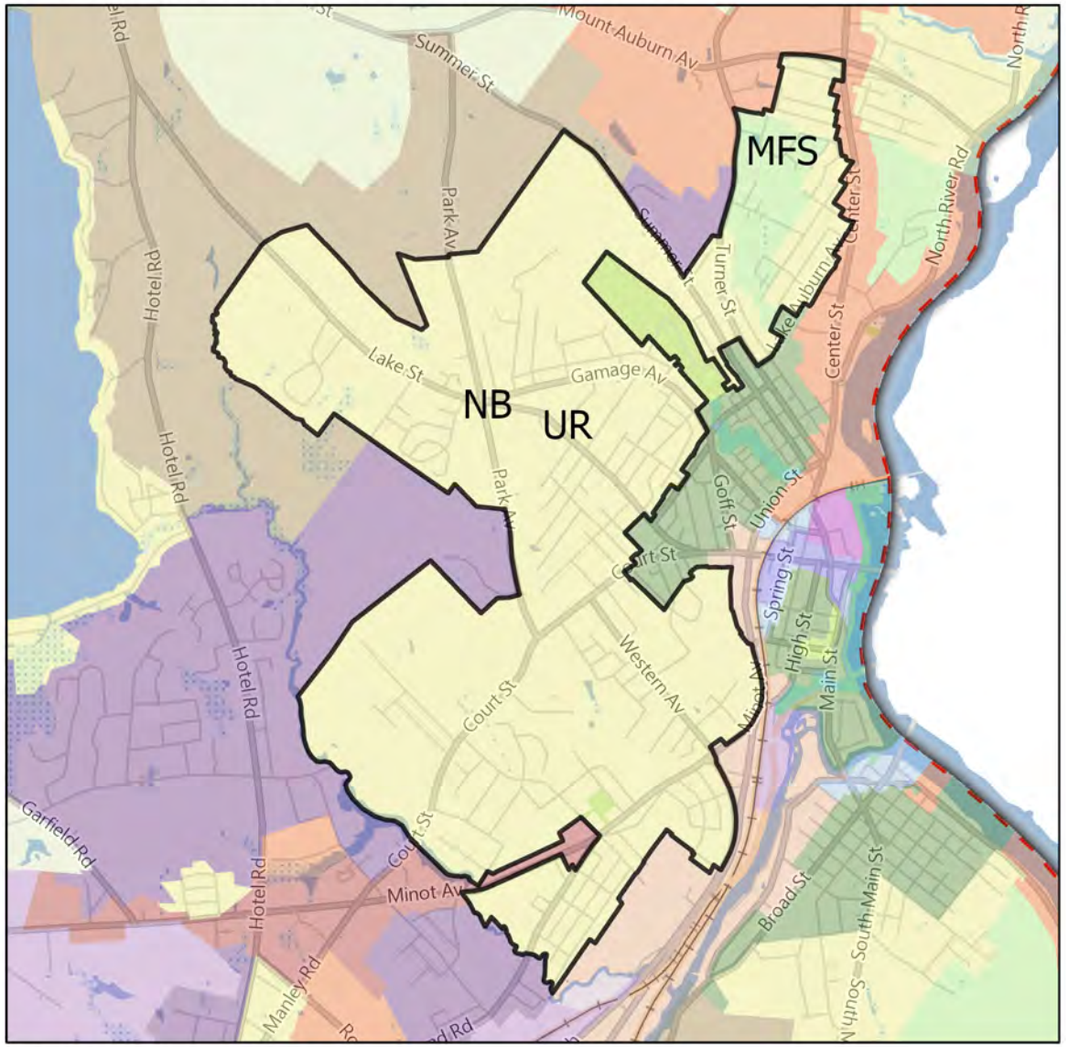
Previous Meetings and History: January 3rd Council Discussion Initiation, March 21,2022 Council First Reading and February 8th and March 8, 2022 Planning Board.

City Manager Comments:

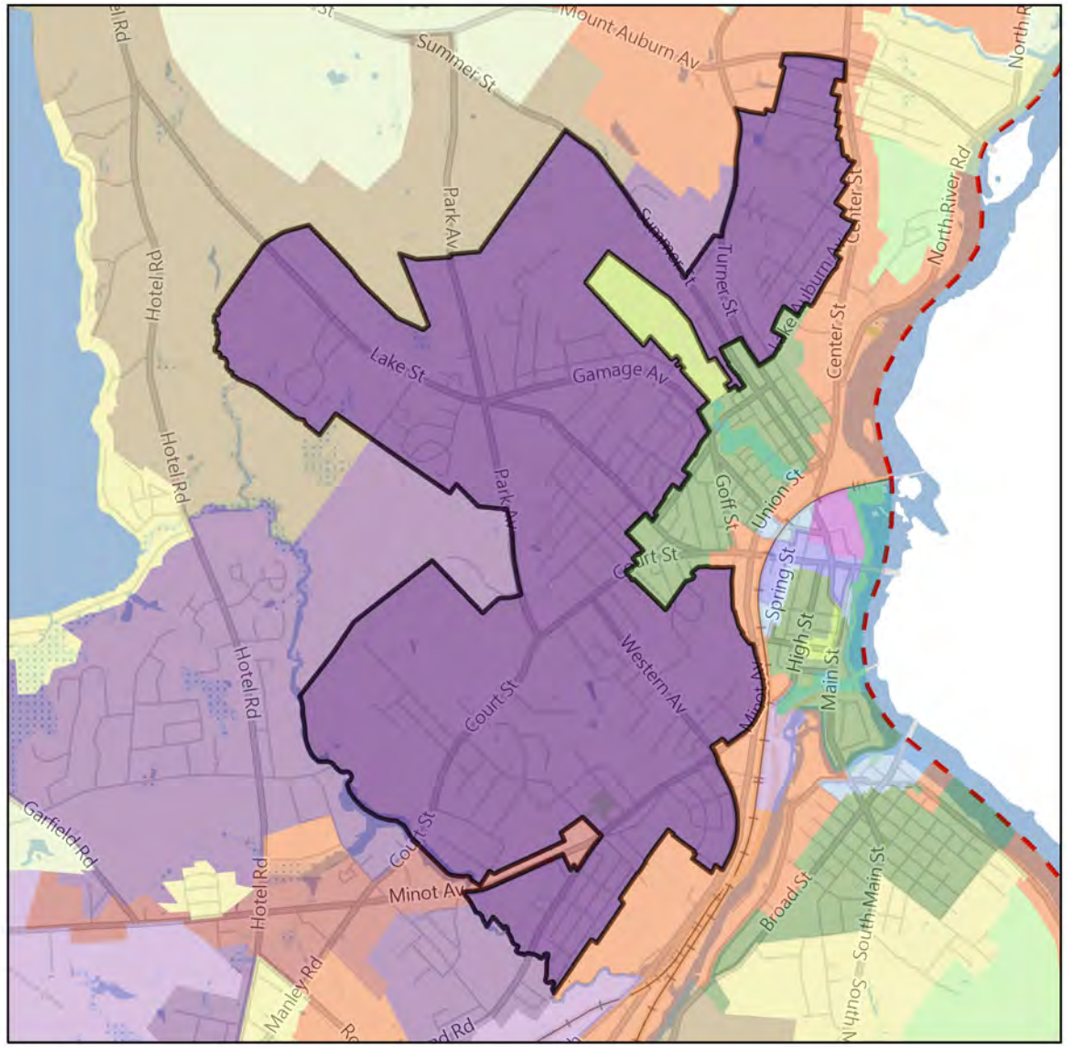
I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, Planning Board Recommendation, Order

Court Street: Exhibit C



Current Zoning



Proposed Change

Recommended Zoning Updates

Description

- Comp Plan to TNDD
- <all other values>

Current Zoning

- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- MFS - Multi-Family Suburban
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

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	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B (Spring Street)

Intent and Purpose:
Traditional Neighborhood (T-4.2B)

The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood

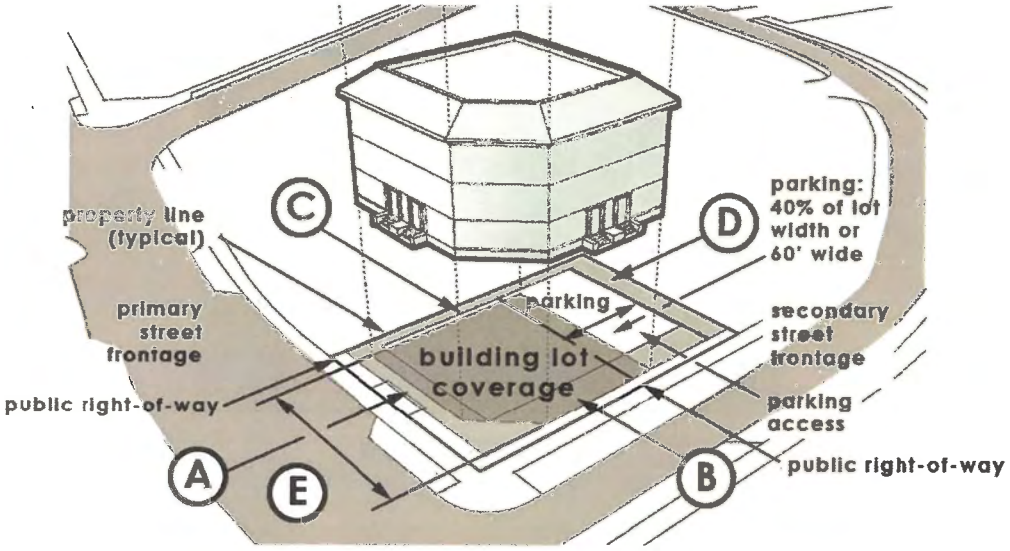
sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

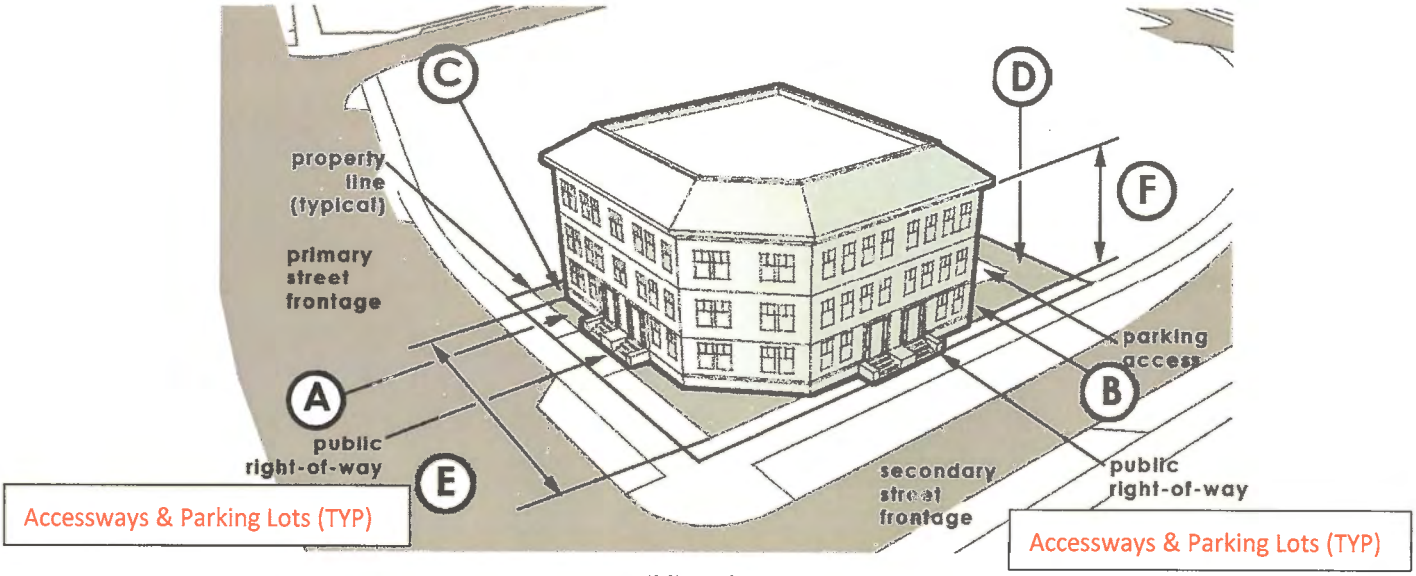
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1. Building placement and configuration T-4.2B.



Elevated Building Placement

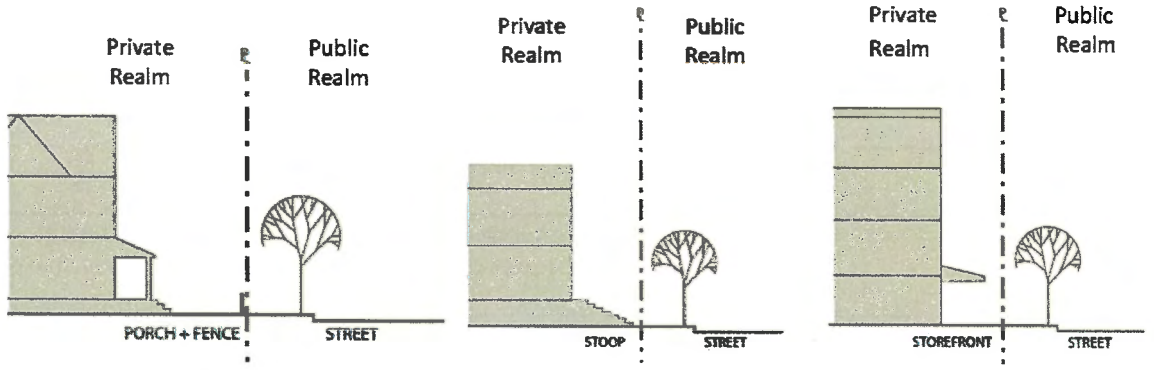


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4,5)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodging house	P	S	P	P	S	X	1 sp/guestroom plus
Office/Service Type Use							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S	S	P	P	P	None
Retail Type Use							

General Retail	S	S	S	P	P	P	None
Age Restricted Retail (3)	S	X	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		X	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	S	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.1 T-4.2, T-4.2B, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 Sf footprint and must have an upper floor residential unit, with drive- through access not allowed.

(5) Density of 14 dwelling units per net acre, unless special exception, subject to planning board approval.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

(1) The form based code shall regulate areas designated as form based code districts.

(2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

ORDER 46-03282022

City Council Order

IN CITY COUNCIL

ORDERED, That the City Council direct the Planning Board to review the attached proposed text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood District Areas; review the T-4.2B District text, hold a Public Hearing and forward a recommendation back to the City Council.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
April 4, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

A. CIP (Capital Improvement Plan 5 Years) Discussion – Phil Crowell
B. City Manager's Preliminary Budget and FY23 CIP– Phil Crowell
C. Lake Grove Park ARPA (American Rescue Plan Act) Discussion – Dan Goyette
D. Executive session, economic development (Lewiston), pursuant to 1 MRSA Sec. 405(6)(C)
E. Executive session, economic development, pursuant to 1 MRSA Sec. 405(6)(C)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Hawes

Pledge of Allegiance

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

1. Order 47-04042022*
Appointing Jennifer Edwards as the Local Health Officer for the City of Auburn with a term expiration of 4/4/2025.

2. Order 48-04042022*
Approving the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2021 – March 31, 2022 and authorizing the City Manager to sign the annual reports.

II. Minutes

- March 21, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Police Department Swearing in Ceremony
  - Patrol Officers Isaac LaBonte and Timothy Robinson
  - Officer Matthew Johnson promotion to Detective
  - Detective Nicholas Gagnon promotion to Sergeant

- Communication Plan – Liz Allen
- LAWPCA Update – Dan Goyette and Travis Peaslee
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 12-03212022
Amending the Code of Ordinance, Sec. 2-255. Appointment; term (of the Assessor). Second reading.

VI. New Business

1. Resolve 02-04042022
Supporting the utilization of Maine's Dual Enrollment Program.

2. Public hearing – Proposed Charter Amendments

3. Order 49-04042022
Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the June 14, 2022 Election.

4. Order 50-04042022
Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to purchase a Quint Fire Truck.

5. Order 51-04042022
Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to build a new PAL (Police Activities League) Center.

6. Ordinance 13-04042022
Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022

Author: Rita Beaudry, Grant Manager

Subject: FY2023 CIP 5-YEAR PLAN

Information: City Manager Phil Crowell will provide information to the Mayor and City Council regarding the city's proposed 5-year Capital Improvement Plan.

City Budgetary Impacts: None at this time.

Staff Recommended Action: Review the CIP plan/projects.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- 5-year Capital Improvement Plan

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
AUBURN-LEWISTON AIRPORT					
Reconstruct East Side Airport Parking Apron and Helipad and EA for Helipad			$ 70,000		
Hangar Door Repair	$ 75,000				
Hangar Building 5 Roof					$ 150,000
TOTAL AUBURN-LEWISTON AIRPORT	**$ 75,000**	**$ -**	**$ 70,000**	**$ -**	**$ 150,000**
CITY CLERK					
Record Restoration	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Fire Proof Vault Construction				$ 100,000	
TOTAL CITY CLERK	**$ 100,000**	**$ 100,000**	**$ 100,000**	**$ 200,000**	**$ 100,000**
ECONOMIC AND COMMUNITY DEVELOPMENT					
Economic Development & Planning					
Dangerous Building Demolition	$ 120,000	$ 100,000	$ 200,000	$ 100,000	$ 100,000
Comprehensive Plan Program	$ 400,000	$ 400,000	$ 400,000		
Downtown Parking and Walkability-Grant Match	$ 148,000	$ 500,000	$ 400,000	$ 400,000	$ 400,000
Electrical -Transferring to PW CIP					
TOTAL ECONOMIC AND COMMUNITY DEVELOPMENT	**$ 668,000**	**$ 1,000,000**	**$ 1,000,000**	**$ 500,000**	**$ 500,000**
CAPITAL INVESTMENT AND PURCHASING					
Facilities					
Public Safety Facility	$ 300,000	$ 4,100,000	$ 19,300,000	$ 255,000	$ 3,000,000
*Engine 5 Reception Area Renovations/Supervisors Office		$ 40,000			
*Engine 5 Heat Pump/AC Installation		$ 25,000			
Festival Plaza Rehabilitation Project	$ 2,000,000				
*Engine 2 Heat Pump/Ac Installation	$ 25,000				
*Central Fire Window Replacement		$ 80,000			
*Engine 5 Gender Friendly accommodations/Restroom upgrades	$ 75,000				
Intermodal Facility		$ 15,000			
Auburn Hall Lighting LED/Lighting Control conversion	$ 60,000				
*Engine 5 Window Replacement	$ 80,000				
*Central Fire Gender Friendly accommodations/Restroom upgrades	$ 150,000				
*Central Fire Replace Air Handler		$ 150,000			
Public Works Life Safety/Code Compliance Correction		$ 75,000			
Public Works Building Planning					$ 300,000
Public Works Repoint Brick		$ 42,000	$ 42,000		
*Central Fire Boiler Replacement			$ 75,000		
*Central Fire Install Fire Sprinkler and Fire Alarm System			$ 120,000		
Auburn Hall Reconfiguration/APD Relocate					$ 500,000
Auburn Hall Building Exterior repairs				$ 90,000	
Auburn Hall Flooring Replacement	$ 13,000				
Auburn Public Library New Boilers		$ 100,000			
Public Restroom Facilities				$ 200,000	
Hasty Sprinkler System	$ 100,000				

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
Connecting Hasty and Ingersoll Turf Facility				TBA	TBA
Mezzanine Viewing area Ingersoll Turf		TBA			
Ingersoll Turf Exterior Signage	$ 10,000				
Turf re-conditioning/equipment repair	$ 12,000		$ 10,000		
Rink 2 - Dirt Floor Removal & Cement Slab Install	$ 500,000				
Knight House Repairs	$ 40,000				
Total Facilities	**$ 3,365,000**	**$ 4,627,000**	**$ 19,547,000**	**$ 545,000**	**$ 3,800,000**
City wide Vehicles					
Police Vehicle Replacement	$ 275,000	$ 275,000	$ 275,000	$ 275,000	$ 275,000
Public Works Replace Car (Ford Focus)		$ 35,000			
Electrical Division bucket truck replacement	$ 218,400				
Electrical Division-Vehicle Replacement	$ 48,000				
Recreation Mini Bus replacement/upgrade		$ 80,000			
14 Passenger Van (replace)	$ 25,000				
Recreation Truck	$ 45,000				
Total City Wide Vehicles	**$ 611,400**	**$ 390,000**	**$ 275,000**	**$ 275,000**	**$ 275,000**
Engineering					
Reconstruction	$ 1,200,000	$ 1,300,000	$ 1,300,000	$ 1,500,000	$ 1,500,000
Reclamation	$ 1,800,000	$ 600,000	$ 1,400,000	$ 1,800,000	$ 2,500,000
Major Drainage	$ 500,000	$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 1,000,000
MDOT Match	$ 1,100,000	$ 1,800,000	$ 1,100,000	$ 1,400,000	$ 625,000
Resurfacing	$ 600,000	$ 1,200,000	$ 1,300,000	$ 1,000,000	$ 1,000,000
Sidewalks	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Total Engineering	**$ 5,300,000**	**$ 6,000,000**	**$ 6,200,000**	**$ 6,800,000**	**$ 6,725,000**
TOTAL CAPITAL INVESTMENTS & PURCHASING	**$ 9,276,400**	**$ 11,017,000**	**$ 26,022,000**	**$ 7,620,000**	**$ 10,800,000**
FIRE DEPARTMENT					
Fire					
Apparatus Replacement	$ 1,650,000	$ 85,000	$ 785,000	$ 60,000	$ 50,000
Fire Hose Replacement				$ 40,000	
Extrication equipment replacement		$ 40,000			
Air-pac replacement					
Rescue Boat Replacement			$ 30,000		
UTV/Rescue equipment					
Cascade air fill station system replacement				$ 60,000	
Total Fire	**$ 1,650,000**	**$ 125,000**	**$ 815,000**	**$ 160,000**	**$ 50,000**
EMS					
Ambulance Replacement		$ 290,000	$ 170,000		$ 180,000
Cardiac monitors		$ 70,000	$ 70,000	$ 70,000	$ 70,000
Stretcher Replacement			$ 30,000		$ 32,000
Chest Compression Systems					
Training simulator mannequin	$ 50,000				
Ventilators		$ 40,000			
Ultrasound Equipment	$ 15,000				
Total EMS	**$ 65,000**	**$ 400,000**	**$ 270,000**	**$ 70,000**	**$ 282,000**
TOTAL FIRE DEPARTMENT	**$ 1,715,000**	**$ 525,000**	**$ 1,085,000**	**$ 230,000**	**$ 332,000**

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
INFORMATION TECHNOLOGY					
Eagle-View Oblique Imagery-GIS/Assessing		$ 50,000		$ 50,000	
TOTAL INFORMATION TECHNOLOGY	$ -	$ 50,000	$ -	$ 50,000	$ -
LA911 (Auburn's share)					
Server Infrastructure Replacement		$ 150,000			
Communications Center					$ 1,250,000
Dispatch Center HVAC				$ 100,000	
TOTAL LA911	$ -	$ 150,000	$ -	$ 100,000	$ 1,250,000
POLICE DEPARTMENT					
Cruiser Camera System Replacement				$ 200,000	
Body worn Cameras					$ 280,000
Gym Equipment Replacement	$ 25,000				
Digital Mapping Equipment					$ 50,000
Patrol Rifle Replacement	$ 35,000				
Mobile Printers & Fingerprint Readers	$ 50,000				
Emergency Operations Center Upgrade	$ 50,000				
TASER Upgrade		$ 88,000			
Mobile Data Terminal Replacement		$ 108,000			
Command Vehicle Replacement			$ 300,000		
TOTAL POLICE DEPARTMENT	$ 160,000	$ 196,000	$ 300,000	$ 200,000	$ 330,000
PUBLIC WORKS					
Public Works					
Replace 7 yard plow trucks (plowing/sanding and roadway maintenance)		$ 490,000	$ 735,000	$ 490,000	$ 980,000
Replace 12 yard plow trucks (plowing/sanding and roadway maintenance)	$ 520,000			$ 260,000	
Replace front end loader (loading materials and snow removal)	$ 195,000		$ 195,000	$ 490,000	
Replace Street Sweeper (sand and debris removal from roadways)	$ 265,000	$ 265,000			
Grader		$ 450,000			$ 450,000
Portable Lift System					
Replace One Ton Trucks (parks and roadway maintenance)	$ 127,590	$ 65,000		$ 64,000	
Replace Pickups (parks and roadway maintenance)	$ 50,000	$ 100,000	$ 80,000	$ 45,000	$ 90,000
Hot Box Pavement Reclaimer			$ 45,000		
Backhoe	$ 145,000				
Replace multi-use tractor (sidewalk maintenance and mowing)	$ 163,300	$ 163,000		$ 163,000	
Trench Box		$ 15,000			

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
Replace tractor (haul) Used	$ 75,000				
Portable Flagging Station with trailer	$ 50,000				
Infield Groomer	$ 32,600				
Drone	$ 20,000				
Court St Sidewalk	$ 70,000				
Replace Vactor Truck			$ 525,000		
Pressure Washer for Wash Bay		$ 50,000			
Replace Western Star Pulp Truck				$ 275,000	
Replace chipper		$ 80,000			
Replace Loader Mounted Snow Blower					$ 150,000
Relamp traffic signal LED					
Vehicle x 3 /portable x 2 Communication Radios 800 HZ	$ 8,750	$ 9,000			
Main st. underground signal conduit repair	$ 12,000	$ 12,000			
TOTAL PUBLIC WORKS	**$ 1,734,240**	**$ 1,699,000**	**$ 1,580,000**	**$ 1,787,000**	**$ 1,670,000**
RECREATION & SPORTS FACILITIES					
Recreation					
Athletic Field Complex Phase I				TBA	TBA
Pettingill Parking Expansion (Study or Design)	$ 50,000	TBA			
Upper Pettengill Field Renovation		$ 50,000	$ 250,000		
Senior Center Building Improvement/Technology		$ 10,000			$ 10,000
Tot Lot Upgrades (Design)					
Electronic Signage in Pettengill Park		$ 50,000			
Security for Pettengill Park (Fields and Playgorunds)		$ 25,000			
Lift		$ 20,000			
Side by Side	$ 15,000				
TOTAL RECREATION & SPORTS FACILITIES	**$ 65,000**	**$ 155,000**	**$ 250,000**	**$ -**	**$ 10,000**
EDUCATION (See attached list)					
TOTAL CIP	$ 13,793,640	$ 14,892,000	$ 30,407,000	$ 10,687,000	$ 15,142,000

* If Public Safety Facility Plan is approved, all starred items would be unnecessary.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022

Author: Rita Beaudry, Grant Manager

Subject: FY2023 BUDGET

Information: City Manager Phil Crowell will provide information to the Mayor and City Council regarding the FY2023 preliminary budget. He will share the budget drivers and the potential impacts due to rising costs.

City Budgetary Impacts: None at this time.

Staff Recommended Action: None.

Previous Meetings and History: None.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022

Author: Dan Goyette

Subject: Lake Grove Park ARPA Allocation

Information: The City Council authorized $150,000 of ARPA funds towards the re-opening of the municipal beach at Lake Grove Park. The Department has been investigating a number of paths towards making this happen. The Department has received a proposal from Woodard and Curran to develop an action plan for re-opening the beach area. The Department has also spoken to a number of vendors and a water resources expert with regards to the addition of aerators for water quality improvements. No vendor nor the expert will guarantee any improvement in water quality.

City Budgetary Impacts: None.

Staff Recommended Action: To move forward with the development of an action plan.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Order:** 47-04042022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Local Health Officer (LHO) Appointment

Information: In accordance with Title 22 subtitle 2 Part 2 Chapter 153 Subsection 451 Each Municipality must employ a Local Health Officer and they must be appointed by the Municipal Officers. Jennifer Morin Edwards serves currently as the Public Health Manager within the Business and Community Development Department. Jennifer is capable of this role and will serve the city well. By Statute the appointment is for three years and until a new LHO is appointed.

City Budgetary Impacts: None

Staff Recommended Action: Appoint Jennifer Morin Edwards as the Local Health Officer for Auburn

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Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Council Order

ORDER 47-04042022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Jennifer Edwards as Local Health Officer with a term expiring 4/4/2025.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large

Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Order:** 48-04042022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Annual Reports to Maine State Housing

Information: The City is required in accordance with the Certificate of Approval issued by the Maine State Housing Authority to provide them with an annual report for each of the Affordable Housing Districts and associated TIFs.

City Budgetary Impacts: None

Staff Recommended Action: Approve the Order as presented

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: The Order and the Reports

Annual Report for Tax Year April 1, 2021 – March 31, 2022
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 2022

Municipality: City of Auburn

Municipal official submitting this report:

Phillip L. Crowell
Printed name

_____ 04/04/2022
Signature **Date**

Title: City Manager
Mailing address: 60 Court Street, Auburn ME 04210
Phone number: 207-333-6601
Email address: pcrowell@auburnmaine.gov

Name of Affordable Housing Development District:

477 Minot Ave

Date the municipal legislative body approved this Report (not the District):
April, 4, 2022

In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.

Status of affordable housing within the District: *"Affordable" means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)	36	0	0	0
Rental (senior)	0	0	0	0
Owned home/condo	0	0	0	0

Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):

N/A

Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.

N/A

Annual Report for Tax Year April 1, 2021 – March 31, 2022
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 2022

Municipality: City of Auburn

Municipal official submitting this report:

Phillip L. Crowell
Printed name

_____ 04/04/2022
Signature **Date**

Title: City Manager
Mailing address: 60 Court Street, Auburn ME 04210
Phone number: 207-333-6601
Email address: pcrowell@auburnmaine.gov

Name of Affordable Housing Development District:

48 Hampshire Street

Date the municipal legislative body approved this Report (not the District):
April, 4, 2022

In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.

Status of affordable housing within the District: *"Affordable" means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)	42	11	0	0
Rental (senior)	0	0	0	0
Owned home/condo	0	0	0	0

Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):

N/A

Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.

N/A

Annual Report for Tax Year April 1, 2021 – March 31, 2022
Affordable Housing Tax Increment Financing District
Submission Deadline of April 30, 2022

Municipality: City of Auburn

Municipal official submitting this report:

Phillip L. Crowell
Printed name

_____ 04/04/2022
Signature **Date**

Title: City Manager
Mailing address: 60 Court Street, Auburn ME 04210
Phone number: 207-333-6601
Email address: pcrowell@auburnmaine.gov

Name of Affordable Housing Development District:

Webster School

Date the municipal legislative body approved this Report (not the District):
April, 4, 2022

In submitting this report, the legislative body of the municipality certifies that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained.

Status of affordable housing within the District: *"Affordable" means for households earning no more than 120% area median income.*

Type of housing unit	# of Existing affordable units	# of Existing market units	# of Planned affordable units	# of Planned market units
Rental (family)	28	0	0	0
Rental (senior)	0	0	0	0
Owned home/condo	0	0	0	0

Please list property sales within the District (NOTE: impact on affordability is not required by the statute for this item and in any event would be captured in the chart above):

N/A

Please describe any changes from what was described in the approved Development Program for the District, such as changes to the type, scope or timing of development within the District. If the Development Program and Certificate of Approval for the District allow alternative uses of funds, please list how funds are being used in practice.

N/A

ORDER 48-04042022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2021 – March 31, 2022, and authorizes the City Manager to sign the annual reports for Affordable Housing Tax Increment Financing Districts, #16 (Webster School), #21 (477 Minot Ave) and #22 (48 Hampshire Street), as provided by Business and Community Development Staff.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large

Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

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

1. Order 40-03212022*
Appointing David Griswold to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2025.

2. Order 41-03212022*
Appointing Ralph Harder to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

3. Order 42-03212022*
Appointing William Sylvester to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2024.

4. Order 43-03212022*
Appointing Jane Costlow to the Sustainability and Natural Resource Management Board with a term expiration of April 1, 2023.

5. Order 44-03212022*
Re-appointing Karen Scammon as the City Assessor with a term expiration of January 31, 2023.

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

Passage 7-0.

II. Minutes – March 7, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

IV. Open Session

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

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

V. Unfinished Business

1. Ordinance 08-03072022

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

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

Public comment

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

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

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

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

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

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

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

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

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

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

Passage 7-0.

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

2. **Ordinance 09-03072022**
Approving an amendment to the Zoning Map (Washington Street/Minot Avenue area) from General Business and Industrial to Formed Based Code Downtown Traditional Center T-5.1. Second reading.

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

Public comment – No one from the public spoke.

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

3. **Ordinance 10-03072022**
Amending Chapter 60, Article XII, Division 2, Section 60-1070, Submission requirements (phosphorus standards). Second reading.

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

Public comment

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

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

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

Passage 7-0.

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

4. **Order 34-03072022**
Authorizing loans of up to $1,298,488 through the State School Revolving Renovation Fund. Public hearing and second reading.

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

Public comment – No one from the public spoke.

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

VI. New Business

1. **Ordinance 11-03212022**
Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2). First Reading.

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

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

Passage 7-0.

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

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

Passage 6-1 (Councilor Walker opposed).

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

Passage 7-0.

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

Passage 7-0.

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

Passage 7-0.

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

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

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

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

Public comment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. **Ordinance 12-03212022**
Amending the Code of Ordinance, Sec. 2-255. Appointment; term (of the Assessor). Public hearing and first reading.

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

Public comment – No one from the public spoke.

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

3. **Order 45-03212022**
Allocating $50,000 of ARPA (American Rescue Plan Act) funds to provide assistance to non-profit organizations who offer outdoor recreational activities and have been negatively impacted by the Covid-19 pandemic.

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

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

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

Jill Eastman, Finance Director – February 2022 Final Monthly Report

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

Passage 7-0.

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

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

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Ordinance:** 12-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed ordinance amendment, Sec. 2-255 Appointment term (of the Assessor).

Information: Title 30-A §2552 states the following:

§2552. Designation of officials
1. Assessors and assistant assessors. The following provisions apply to assessors and their assistants.
A. Assessors and their assistants shall be chosen annually on the 2nd Monday of March to serve for one year and until others are chosen and qualified in their places, unless the city charter provides otherwise.

B. In addition to the assistant assessors chosen under a city charter, the municipal officers may authorize the assessors to appoint any necessary assistants to serve during the municipal year in which they are appointed

C. Notwithstanding the provisions of any city charter to the contrary, the city council, by ordinance, may provide for a single assessor whose powers and duties are the same as for towns, and who is appointed for a term not exceeding 5 years.

Section 2-255 of our Code of Ordinances states:

Sec. 2-255. - Appointment; term.

The tax assessor shall be appointed by the city council on the recommendation of the city manager. The tax assessor shall be appointed for a two-year term.

Staff is proposing an amendment changing the term from two years to up to five years to better align with State law.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Public hearing and passage of first reading on 3/21/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDINANCE 12-03212022

City Council Ordinance

IN CITY COUNCIL

Amendment to the Code of Ordinances, Chapter 2 Administration, Division 7, Tax Assessor, Section 2-255. Appointment; term

Be it ordained, that the Auburn City Council hereby amends Chapter 2 Administration, Division 7, Tax Assessor, Section 2-255. Appointment; term, of the Code of Ordinances as follows:

Sec. 2-255. Appointment; term.

The tax assessor shall be appointed by the city council on the recommendation of the city manager. The tax assessor shall be appointed for a ~~two-year~~ term not to exceed five years.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Resolve:** 02-04042022

Author: Sue Clements-Dallaire, City Clerk

Subject: Resolve supporting Maine's Dual Enrollment Program

Information: This is a resolution of the City Council and the Auburn School Committee expressing support of and utilization of Maine's Dual Enrollment Program on the campuses of Central Maine Community College, Bates College, and the University of Southern Maine Lewiston-Auburn.

City Budgetary Impacts: None

Staff Recommended Action: N/A

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

RESOLVE 02-04042022

IN CITY COUNCIL

APRIL 4, 2022 A resolution of the City Council expressing support of and utilization of Maine's Dual Enrollment Program on the campuses of Central Maine Community College, Bates College, and the University of Southern Maine Lewiston-Auburn.

WHEREAS, the Auburn City Council are dedicated to ensuring all of our Students have the opportunities to be career ready upon graduation from Edward Little High School

WHEREAS, Auburn's businesses are experiencing a shortage of workers properly trained in foundational jobs such as construction, electricians, plumbers, welders, equipment operators, public service and fabricators.

WHEREAS, recently over 190 interested ELHS students participated in a field trip to the LRTC campus to learn more, the program has 60 slots open to our students and more students will be able to participate when the new high school is opened.

WHEREAS, Auburn is fortunate to have Central Maine Community College, Bates College, and the University of Lewiston Auburn in such close proximity to our High School, which both offer diverse course offerings and skilled educators.

WHERAS, the State of Maine has authorized a dual enrollment program that allows all Maine High School Students to attend up to 2, 3 credit classes per semester on site within the University and Community College System at little to no cost.

WHEREAS, credits earned through the duel enrollment program are transferable through the University and Community College system within Maine as well as other post-secondary institutions, thereby significantly offsetting the upfront cost and future debt encumbered by our residents.

WHEREAS, there are currently obstacles that prevent our students from fully utilizing the benefits of dual enrollment such as transportation and current high school schedules.

LET IT BE RESOLVED that the Auburn City Council encourages the Auburn School Committee Chair to create a stakeholder group made up of leaders from the business community, educators, parents, and municipal staff who will assess, evaluate, and take appropriate action to eliminate those obstacles within our control, such as modifying ELHS class schedule, and solving transportation challenges all of which prevent students from fully and seamlessly integrating post-secondary courses with High School curriculum and experience.

BE IT FURTHER RESOLVED, that the need is urgent and any solutions from the stakeholder group being proposed should be considered for the fall of 2022.

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Order:** 49-04042022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed Charter Amendments – Public hearing and Council vote to submit to Auburn voters

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Information: The Auburn Charter sec. 2.8 states "the city council shall provide for the review of the city's charter and ordinances in their entirety at least once every 15 years". Council recently completed the review of the City Charter and City Ordinances beginning in October of 2020.

After a review by the City Council, School Committee, and City Attorney, there were five proposed amendments. If Council votes to submit the proposed Charter amendments to the voters of Auburn at the June 14, 2022 Election, if the amendments pass, the Charter Amendments would take effect July 1, 2022.

City Budgetary Impacts: Approximately $2,100 for the cost of printing the ballots.

Staff Recommended Action: Recommend passage

Previous Meetings and History: 10/26/2020, 11/9/2020, 11/30/2020, and 03/21/2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Public notice, proposed amendments.

CITY OF AUBURN
PUBLIC NOTICE
PROPOSED CHARTER AMENDMENTS

Notice is hereby given that the Auburn City Council will hold a public hearing on an Order to submit the following proposed charter amendments to the voters at the June 14, 2022, Election. The public hearing will be held on April 4, 2022 at 7:00 pm or as soon thereafter, in Council Chambers of Auburn Hall located at 60 Court Street, Auburn, Maine.

The purpose of the public hearing is to receive public comments on the proposed charter amendments in accordance to Title 30-A §2104. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with Title 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

ORDER 49-04042022

City Council Order

IN CITY COUNCIL

ORDER to submit the proposed Charter Amendments to the voters of Auburn at the June 14, 2022 Election.

Whereas, the Auburn City Council held several special meetings to conduct a review of the City Charter section by section in accordance to Sec. 2.8 of Auburn's Charter; and

Whereas, the School Committee presented their recommended changes to the City Council at a special meeting held on November 30, 2020; and

Whereas, proposed changes that were voted on by the City Council during the process only submitted the Proposed Charter Amendments listed below to the City Attorney for legal review, with proposed additions to the City Charter indicated with an underline, and proposed deletions from the City Charter indicated with a ~~strikethrough~~; and

Now, therefore, be it ordered by the Auburn City Council as follows:

The Auburn City Council finds that the Proposed Charter Amendment in Section 4.2 does not affect the composition nor voting authority of the School Committee, but is simply designed to ensure that any student representatives are of sufficient capacity to meaningfully participate in the School Committee's work.

The Auburn City Council finds that the Proposed Charter Amendments in Sections 4.7 and 4.9 merely serve to conform the existing Charter language to Maine statutes governing the hiring and firing of the superintendent of schools.

The Auburn City Council finds that the Proposed Charter Amendments to Sections 6.4 and 8.7 simply promote conformity and consistency in references to the Auburn School Committee throughout the Charter.

Accordingly, the Auburn City Council concludes that the Proposed Charter Amendments will not alter the general plans, schemes, or structure of the existing Charter language, will not result in a profound or fundamental alteration in the essential character or core operations of Auburn's municipal government, and therefore constitute amendments to the Auburn City Charter which are within the purview of the Auburn City Council, as the municipal officers, to propose for consideration by the voters and that they are not revisions requiring the establishment of a Charter Commission.

ORDER 49-04042022

City Council Order

The Auburn City Council therefor orders that the Proposed Charter Amendments be placed on a ballot and submitted to the voters of Auburn at the June 14, 2022 Election and if passed by the voters of Auburn, the Charter Amendments would take effect **July 1, 2022**.

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with Title 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

City Council Order

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Order:** 50-04042022

Author: Chief Robert Chase

Subject: Fire Truck

Information:
A Quint Fire Truck is a fire apparatus that serves the dual purpose of an Engine and a Ladder truck. The quint service delivery model was adopted in Auburn to combine Fire Engine and Ladder truck functions into one apparatus. When the department began EMS transport, the Quint model allowed the department to staff ambulances and begin EMS transport services without increasing staffing levels.

The current Quint Truck is a 2012, E-One Quint with 95,000 miles and 11,300 engine hours on it.
The planned and expected lifespan for the truck is 12 years.

In the FY22 capital plan, (which was developed in late 2020) the budgetary estimate for a replacement truck was $1,300,000 with an anticipated delivery timeframe of 270 days.

During the development of the FY23 budget, we learned that the cost of a replacement truck would increase to approximately $1,650,000 (as of January 2022) with an estimated lead time of 18 months. This long lead time and rapidly increasing costs have driven us to ask for funding sooner than initially planned.

We have been working for several months to write a detailed specification for the replacement truck. Through this process, we were notified of yet another price increase from the manufacturer, of 7%-9% effective May 2022.

Purchasing the fire truck before May 1, 2022, will save the City of Auburn 8% = $130,000. The purchase of a fire truck is now an allowable expenditure under ARPA's final rule – *Provision of Government Services 6.1.*

City Budgetary Impacts: Funding the project as an allowable ARPA expenditure would mean the equipment would not need to be purchased through the City budget or capital bonding.

Staff Recommended Action: Vote to allocate $1,650,000. in ARPA (American Rescue Plan Act) funds to purchase a fire truck.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 50-04042022

City Council Order

IN CITY COUNCIL

ORDERED, that Auburn City Council allocate $1,650,000. of ARPA (American Rescue Plan Act) funds for the purchase of a fire truck.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Order:** 51-04042022

Author: Phil Crowell, City Manager

Subject: PAL Center

Information: In 2011, Police recognized that upwards of 25% of the total calls for service were happening in the same ½ mile area of the City of Auburn's most impoverished area of the city. The area was rife with vandalism and families had no sense of belonging. Police recognized that the "Broken Window Theory" applied to this neighborhood- don't fix it and it will get worse.

After much consideration as to what could be done to mitigate the crimes against youth and crimes committed by youth under the age of 20, the City of Auburn provided the current building located at 24 Chestnut Street to the Police Activities League (PAL) - a 501c3 that has a Board of Directors who oversee the operations. After renovations were completed in 2013 – by volunteers and through fundraising, the PAL Center opened and began providing after-school programming. Since the opening, the center has grown to provide mentored after-school and summer programming to upwards of 100 children daily. The current building has far exceeded its capacity (43 people) to safely offer programming due to lack of space. During the Covid-19 pandemic, the center had to close its doors because of the limited space.

There has been an effort over the past year to identify current and future space needs for PAL programming. Woodard and Curran have graciously joined forces by meeting with our team and providing the city with cost estimates and architectural renderings. It is the goal of the organization to build a new center in the next two years. This project would begin a revitalization in an area of Auburn that has the highest child poverty rate, the highest violent crime, and the highest child victimization. It is the goal of the PAL Board of Directors to partner with the City of Auburn, private donors, government, and other funding sources to transition the PAL Center into a true Community Center.

Estimated cost of the project:	$8,608,524.00
Potential Future Site Improvements:	$1,164,000.00

This project aligns with ARPA (American Rescue Plan Act) focus area – 2 / 2.34 Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted).

City Budgetary Impacts: None

Staff Recommended Action: Vote to allocate $3,000,000. in ARPA (American Rescue Plan Act) funds to the Auburn PAL (Police Activities League) 501c3 for the construction of a new PAL Center.

Previous Meetings and History: Workshop presentation December 20, 2021.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Woodard and Curran architectural renderings of proposed Auburn PAL
    - Estimated cost estimates – pages 12 and 13

ORDER 51-04042022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council allocate $3,000,000. of ARPA funds to the Police Activities League (PAL) for the construction of a new center.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 4, 2022 **Ordinance:** 13-04042022

Author: Jeremy Gatcomb, Recreation Director

Subject: Amending Chapter 34.

Information: Attached is an updated policy regarding Chapter 34 of the Parks, Recreation, Facilities and Special Events.

City Budgetary Impacts: None currently.

Staff Recommended Action: Approve proposed amendment changes.

Previous Meetings and History: City Council Workshop on February 1, 2021

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Chapter 34 ordinance

ORDINANCE 13-04042022

City Council Ordinance

IN CITY COUNCIL

AMENDING CHAPTER 34 – PARKS, RECREATION, AND CULTURAL AFFAIRS

Be it ordained, that the City Council hereby amends Chapter 34 of our Code of Ordinances as proposed by staff in the attached document.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance 13-04042022 attachment

Chapter 34 - PARKS, RECREATION, FACILITIES AND SPECIAL EVENTS ~~CULTURAL AFFAIRS~~[1]

Footnotes:

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State Law reference— Municipal parks, trees and playgrounds generally, 30-A M.R.S.A. § 3252 et seq.; designation of safe zones in areas frequented by minors, 30-A M.R.S.A. § 3253; public shade trees, 30-A M.R.S.A. § 3281 et seq.; appointment and duties of tree wardens, 30-A M.R.S.A. § 3282; removal of trees, 30-A M.R.S.A. § 3283; destruction or injury to trees prohibited, 30-A M.R.S.A. § 3284.

ARTICLE I. - IN GENERAL

Sec. 34-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Park means any publicly owned area maintained by the city parks and recreation department for the pursuit and enjoyment of leisure and recreational activities, in addition to any one of the following areas within the boundaries shown on the records at the assessor's office: See Appendix A

Smoking means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy. Non-smoking marijuana products including, but not limited to, edibles and dabs are also included in this policy.

Tobacco means all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus, and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

Marijuana means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not.

~~*Park* means any publicly owned area maintained by the city parks and recreation department for the pursuit and enjoyment of leisure and recreational activities, in addition to any one of the following areas within the boundaries shown on the records at the assessor's office: See Appendix A Middle School Park, Mount Apatite Park, Central Park, Moulton Park, Pulsifer Park, Auburn Municipal Beach, Pettengill Park, Union Street Gully, Raymond Park, Camp Exchange Day Camp, Riverfront Park and Bonney Park, West Pitch Park, Lakeview Park and Cleveland Field, Chestnut Street Park, Garfield Road Park, North River Road Boat Launch, Drummond Street Playground, Lake Street Playground, and Festival Plaza.~~

Secs. 34-2—34-20. - Reserved.

ARTICLE II. - PARKS AND RECREATION DEPARTMENT

Sec. 34-21. - Appointment of Executive Director of Community Partnership and Sport Tourism~~parks and recreation director~~.

The Executive Director of Community Partnership and Sport Tourism shall be appointed by the city manager and shall oversee all community partnerships and support the opportunities for sports tourism in Auburn. ~~The parks and recreation director shall be appointed by the city manager and shall serve as head of the parks and recreation department.~~

Sec. 34-22. - Duties of Executive Director of Community Partnership and Sport Tourism shall be as follows:.~~parks and recreation director~~.

~~The Executive Director of Community Partnership and Sport Tourism parks and recreation director shall have the following duties:~~

(1) ~~Does work~~Works collaboratively with the Recreation Director, Recreation Superintendent and the NSBA Operations Manager ~~involving responsibility for~~ developing and administering a comprehensive program of community cultural, recreational and other leisure time activities.

(2) Performs responsible professional recreation and park duties in the planning, organizing and direction of a citywide park, athletic and recreational area maintenance and~~ park~~ capital improvement program, including Ingersoll Turf Facility ~~Ice Arena~~, Senior Community Center, Hasty Community Center, and Norway Savings Bank Arena;

(3) Prepares budget requests for recreation activities, park development and maintenance, capital equipment, the capital improvement program, the arena enterprise account and the special recreation activities ~~account, and~~account, and prepares grants for recreation programming and park development.

(4) ~~Controls expenditures in order that they will be kept within appropriations.~~

~~(5) Coordinates the parks and recreation program with other public, private and quasi-public groups providing park and recreation opportunities for the community.~~

~~(6) Serves as the ex officio member of the parks and recreation advisory board and advises it on parks and recreation issues.~~

~~(7) Recommends to the city manager program and facilities fees and charges and negotiates contracts leading to the rental of the arena.~~

(8) Ensures that program objectives are met through the selection, assignment and supervision of professional, supervisory and other personnel assigned to the department.

(9) Performs other duties assigned by the city manager.

~~(10) Auburn Public Works Department maintains all playground equipment, playgrounds, athletic fields and cemeteries.~~

Sec. 34-23. Appointment of parks and recreation director.

The parks and recreation director shall be appointed by the city manager, with input from the Executive Director of Community Partnership and Sport Tourism and shall oversee the parks and recreation department.

Sec. 34-24. Duties of the Parks and Recreation Director shall be as follows:

1. Coordinates with the Executive Director to ensure the planning, organizing and direction of a citywide park, athletic and recreational area maintenance and capital improvement program meets the needs of the community.
2. Responsible for the staffing of all positions for programming.
3. Controls expenditures in order that they will be kept within appropriations.
4. Coordinates the parks and recreation program with other public, private and quasi-public groups providing park and recreation opportunities for the community.
5. Serves as the ex officio member of the parks and recreation advisory board and advises it on parks and recreation issues.
6. Coordinates with the Public Works Department to ensure the maintenance is conducted for all playground equipment, playgrounds, athletic fields, and cemeteries.
7. Perform other duties as assigned by the Executive Director.

Secs. 34-~~23~~25—34-47. - Reserved.

ARTICLE III. - RULES AND REGULATIONS

Sec. 34-48. - Establishment of park rules. ~~and fees.~~

The director of the parks and recreation department shall recommend to the city manager and the parks and recreation advisory board and then to the city council rules ~~and fees~~ governing the use of parks and other public lands, which shall be posted on the city's website. An up-to-date copy of such rules shall also be on file in the office of the city clerk.

(Code 1967, § 18-1.6)

~~Sec. 34-49. - Penalty.~~

~~Any person violating any provision of the rules and regulations in this article adopted by the parks and recreation department shall be punished by a fine of not more than $200.00.~~

Sec. 34-4950. - Park season.

In general, all municipal parks are open year round but are maintained for public use only from April May 1 to November 30 annually, with the exception of Mount Apatite Park, which is open and maintained all year.

Sec. 34-501. - Protection of park property.

Except with the permission of an authorized representative of the parks and recreation department, no person in a park shall:

(1) Willfully mark, damage or remove any building, structure, tables, benches, signs or other similar appurtenances or equipment.

(2) Dig up, disfigure or remove any soil or vegetation or make any excavation. This does not apply to the area of Mount Apatite Park known as the mines. Here, digging, sorting through and otherwise disrupting the exposed mineral resources, to a depth of not greater than two feet, for the purpose of amateur gem and mineral collecting will be permitted. Persons engaging in this activity shall use hand tools only.

(3) Construct any building or structure or run any public service utility into or across such park lands.

(4) Throw away or leave trash or refuse except in proper receptacles.

(5) Throw away all pet waste created in proper city maintained wastes receptacles.

Sec. 34-512. - Operation of vehicles.

No person in a park shall:

(1) Operate a motor vehicle except with a valid operator's license.

(2) Operate an unregistered motor vehicle.

(3) Fail to observe all traffic signs.

(4) Drive any vehicle except a bicycle on or in any area except paved park roads or parking areas as may on occasion be specifically designated by the parks and recreation department. This subsection (4) shall not apply to the operation of snowmobiles in Mount Apatite Park during periods when there is an adequate snow cover.

Sec. 34-532. - Recreational activities.

No person in a park shall:

(1) Swim, bathe or wade in the waters of any park except in such places as are specifically designated for swimming and bathing purposes and in compliance with rules and regulations adopted by the parks and recreation department.

(2) Hunt, trap or pursue wildlife.

(3) Discharge firearms.

(4) Set up or erect tents, shacks or other temporary shelters except at such times and under such conditions as are permitted, in writing, by the parks and recreation department.

(5) Build or attempt to build any fires without the written permission of an authorized representative of the parks and recreation department, and without the proper permits from the fire department as may be required.

(6) Skateboard, bicycling, inline skate or roller skate on any ~~-~~paved or unpaved surface, stairways, grass or landscaped areas or within any playing court area, without the ~~written~~ permission of an authorized representative of the parks and recreation department. This subsection (6) shall not apply to the participation in or viewing of skateboarding, inline skating or roller skating on and within ~~a~~the designated skating area at Moulton Park and Riverwalk.~~-~~

(7) ~~Ride a bicycle or roller skates or roller blades on the grass or landscaped areas, on park stairways, or in a reckless manner anywhere within the park. Riding bicycles and using roller skates or roller blades on park stairways in a responsible manner, so as not to endanger other users or interfere with their enjoyment of the park, is permitted.~~

(8) Enter or engage in any activity after dusk and/or before dawn, without the written permission of an authorized representative of the department. Excluding Chestnut Park under the lights up to the hour of 9:00 p. m. This subsection (8) shall not apply to the participation in or viewing of authorized recreation activities in Pettengill Park under the lights up to the hour of 11:00 p.m.

Sec. 34-5~~4~~3. - Alcoholic beverages, Tobacco and illegal drugs.

Auburn is dedicated to providing everyone with a safe and healthy environment at all City recreational area properties. The City of Auburn specifically restricts the use of any tobacco and marijuana products, including, but not limited to cigarettes, cigars, dip, chew, dabs, electronic nicotine delivery devices, Juuls. (see Definitions) All persons using recreational properties must adhere to the following rules:

(a) No person shall have any alcoholic beverages in his/her possession in a park area except~~:~~

~~(1) In connection with a group outing at Camp Exchange Day CampTot Lot in accordance with rules and regulations adopted by the City. parks and recreation department.~~

~~(2) At the Hasty Community Center, Recreational Facilities on occasions where specifically permitted by and in accordance with rules and regulations adopted by the parks and recreation department.~~

~~(3)~~ ~~In~~ in connection with any special event or activity as specifically permitted by and in accordance with rules and regulations adopted by the parks and recreation department ~~and with final approval through the application process and City Council approval.~~ .

(b) No person shall have any illegal drugs or other illegal substances in his/her possession in any park or facility at any time.

(c) No person shall use tobacco or marijuana products in or on city-owned athletic fields, city-owned parks, city-owned playgrounds, city-owned trails, city-owned beaches; including but not limited to Festival Plaza, Auburn Riverwalk, Ingersoll Turf Facility, Norway Savings Bank Arena, Hasty Community Center, Auburn Community Senior Center, Pettengill Park Baseball and Softball Fields, Lakeview Fields, Chestnut Field, PAL Center and Mount Apatite.

~~(b) Tobacco and Marijuana use on all school grounds is prohibited by state law at all times.~~

~~Notifications:~~

(d). The parks and recreation staff or their representatives will have the authority to notify offenders about the policy and have the authority to ask person(s) to leave if uncooperative. Notifications will follow the norms and procedures of other ordinances. The parks and recreation department shall place signs at the beginning and end point of any city trail as well as in such other locations that the parks and recreation department deem necessary to notify the public of this ordinance. ~~There will be a three-month educational period before the ordinance is put into effect.~~

Sec. 34-54~~55~~. - Entering area closed to public.

No person in a park shall enter an area which has been posted as being closed to the public.

Sec. 34-55~~6~~. - Loitering.

No person in a park shall loiter in such a manner as to hinder the free passage of vehicles or pedestrians to any place or building within the park.

Sec. 34-56~~7~~. - Sales activities.

No person shall offer any article or thing for sale in a park without first obtaining written permission from an authorized representative of the parks and recreation department.

Sec. 34-57~~8~~. - Fishing in Gully Brook.

No person over the age of 15 years shall fish in that part of Gully Brook which flows through Pettengill Park.

Sec. 34-58 Enforcement/Penalties:

Person who violate any provision of this article shall be guilty of an infraction, punishable by a fine of $200.00 and said fines shall be recovered for use by the City

(Code 1967, § 27-1.30)

Appendix A

Middle School Park, Mount Apatite Park, Central Park, Moulton Park, Pulsifer Park, Auburn Municipal Beach, Pettengill Park, Gracelawn Softball Fields, Union Street Gully, Raymond Park, Tot Lot, Riverfront Park and Bonney Park, West Pitch Park, Lakeview Park and Cleveland Field, Chestnut Street Park, Garfield Road Park, North River Road Boat Launch, Drummond Street Playground, Lake Street Playground, Norway Savings Bank Arena, Ingersoll Turf Facility, Senior Community Center, PAL Facility and Festival Plaza.

City Council Workshop & Meeting
Agenda
Tuesday, April 19, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** School Budget Presentation – Karen Mathieu and Dr. Connie Brown
- **B.** Presentation of the City Manager's Final Budget for FY23 – Phil Crowell
- **C.** Lake Auburn Subsurface Wastewater – Eric Cousens and John Blais
- **D.** Lake Auburn Community Center – Brian Wood

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

Pledge of Allegiance

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

1. Order 52-04192022*
Appointing Election Clerks for a two-year term.

2. Order 53-04192022*
Accepting the transfer of $1,132 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-1689).

II. Minutes

- March 28, 2022, Special Council Meeting
- April 4, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 13-04042022
Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).
Public hearing and second reading.

VI. New Business

1. Order 54-04192022
Adopting the Fiscal Year 2023-2027 Five-year Capital Improvement Plan (CIP).

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – March 2022 Final Monthly Report

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

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022

Author: Susan Clements-Dallaire

Subject: School Budget Presentation

Information: School Committee Chair, Karen Mathieu, Superintendent Cornelia Brown, and Business Manager Mark Conrad will present information about the proposed 2022-23 operating budget.

City Budgetary Impacts: As outlined in the attached documents

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Staff Recommended Action: To receive and review the information presented by Auburn School Department.

Previous Meetings and History: December 20, 2021 School Budget Discussion FY23, March 21, 2022 Joint CIP presentations (School/City).

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

FY 2023 Budget Process

Auburn School Department

General Fund Revenue Budget (As Proposed by the Superintendent)

Fiscal Year	2018-2019 Approved	2019-2020 Approved	2020-2021 Approved	2020-2021 Actual	2021-2022 Approved	2022-2023 Proposed	Variance	Percentage
State/EPS Model								
Subsidy	$23,678,756	$25,249,723	$25,637,180	$25,975,376	$26,785,909	$28,055,623	$1,269,714	4.7%
Debt Service-ELHS (Confirme	$0	$0	$0	$0	$1,554,035	$4,147,955	$2,593,920	166.9%
Debt Service-ELHS (Projected)		$0	$0	$0	$0	$1,127,145	$1,127,145	---
Debt Service-Park Ave	$624,158	$601,933	$579,894	$579,894	$560,117	$534,544	($25,573)	-4.6%
Total State	**$24,302,914**	**$25,851,656**	**$26,217,074**	**$26,555,270**	**$28,900,061**	**$33,865,267**	**$4,965,206**	17.2%
Local								
Minimum Local 15671-A	$ 16,781,933	$ 16,355,070	$16,272,338	$16,272,338	$16,031,338	$14,867,518	($1,163,820)	-7.3%
Local Only Debt Service	$44,905	$140,835	$102,473	$102,473	$311,789	$762,338	$450,549	144.5%
Additional Local	$980,019	$1,210,952	$1,322,309	$1,322,309	$1,486,251	$3,195,980	$1,709,729	115.0%
Total Local	**$ 17,806,857**	**$ 17,706,857**	**$17,697,120**	**$17,697,120**	**$17,829,378**	**$18,825,836**	**$996,458**	5.6%
Increase in Lcoal Share - Debt Service					$311,789	$762,338	$450,549	2.5%
Increase in Local Share - Operations					$17,517,589	$18,063,498	$545,909	3.1%
					$17,829,378	**$18,825,836**	**$996,458**	**5.6%**
Other								
State Agency Client	$30,000	$50,000	$50,000	$96,765	$30,000	$30,000	$0	0.0%
Spec. Ed. SOS Tuition	$60,000	$50,000	$50,000	$90,728	$0	$0	$0	---
MeCare Reimbursement	$120,000	$140,692	$140,000	$148,939	$100,000	$100,000	$0	0.0%
Franklin Tuition	$160,973	$165,026	$115,466	$58,249	$46,205	$50,000	$3,795	8.2%
Rental Properties (RETC)	$58,000	$58,000	$58,000	$58,000	$58,000	$58,000	$0	0.0%
Child Care	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$0	0.0%
CDS-Pre-K	$0	$0	$0	$2,114	$0	$0	$0	---
Gate Receipts	$0	$0	$32,000	$0	$26,700	$24,500	($2,200)	-8.2%
Miscellaneous	$10,000	$10,000	$30,000	$20,434	$20,000	$20,000	$0	0.0%
Total Other	**$488,973**	**$523,718**	**$525,466**	**$525,229**	**$330,905**	**$332,500**	**$1,595**	**0.48%**
Fund Balance	**$ 719,417**	**$ 873,025**	**$ 970,862**	**$ -**	**$879,404**	**$1,100,000**	**$ 220,596**	**25.08%**
Total General Operating	**$43,318,161**	**$44,955,256**	**$45,410,522**	**$44,777,619**	**$47,939,748**	**$54,123,603**	**$6,183,855**	**12.90%**

Adult Education								
State	$91,918	$94,206	$98,649	$95,639	$94,616	$94,555	($61)	-0.1%
Local	$190,404	$190,404	$200,141	$200,141	$213,702	$207,192	($6,510)	-3.0%
Other (Tuition)	$93,300	$93,300	$93,300	$8,289	$93,300	$62,410	($30,890)	-33.1%
Fund Balance	$0	$4,271	$0	$0	$0	$0	$0	---
Total Adult Education	**$375,622**	**$382,181**	**$392,090**	**$304,069**	**$401,618**	**$364,157**	**($37,461)**	**-9.33%**
City Property Valuation	1,964,206,026	1,957,006,058	1,956,632,371		1,956,632,371	1,973,954,411	-	0.00%
Mil Rate For Education	0.10	0.10	0.10		9.22	9.64	0.42	4.56%

Increase on $150K home
$63.09

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: City Manager's Final Budget Presentation for FY23

Information: City Manager Phil Crowell will present his final FY23 budget to the Mayor and City Council.

City Budgetary Impacts: To be determined

Staff Recommended Action: Discussion

Previous Meetings and History: March 21, 2022 (Joint CIP presentations – School and City), April 4, 2022 (preliminary budget and CIP presentation)

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Proposed ordinance update to subsurface wastewater systems and agricultural buffers

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Information:
The current septic standards around lake Auburn require placing the system at least 12 inches below the bottom of the organic horizon in deep, often very well drained soils with at least 36 inches to the limiting factor. These standards require bypassing the best soil for treating effluent and protecting Lake Auburn's water quality. The discussion includes updating Sec 60-952 (c) and (f) (1-5) for agricultural buffer strips and subsurface wastewater systems in Chapter 60, Article XII, Division 4- Lake Auburn Watershed Overlay District.

The Planning Board reviewed this proposal and provided a positive recommendation with three conditions (attached) at the April 12, 2022 meeting. The staff report and power point presentation from that meeting is also attached. The Board voted unanimously to recommend that the Council approve the proposed ordinance change with three considerations to limit housing density, monitor development and water quality changes and ensure proper maintenance of existing and new septic systems.

Procedurally, Staff recommends that Council discuss the recommendations tonight and provide feedback to staff in preparation for a Public Hearing on the item at the May 2, 2022 Council Meeting.

1. That development and water quality data be monitored in partnership with Auburn Water District openly with other stakeholders and take appropriate action if the monitoring process finds the water quality degraded as a result of development.

2. Add a requirement to inspect the septic systems at the point of sale and continuously at five-year intervals also as suggested by the Planning Board. Staff needs to work on the details on this for how it will apply to existing systems but for new systems this could be a condition of approval. Towards this end, staff plans an internship for this summer to catalog and map all known existing systems and add any new systems as they are permitted. This could be the base information for outreach and collecting inspection and maintenance information in the future.

3. That the ordinance change approval "must coincide with the adoption of a zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan. To accomplish this, Staff suggests Council schedule a resolve for the May 2nd Meeting to forward a zoning and map change proposal to the Planning Board to begin workshopping at their next meeting. The change would involve converting the zoning on properties within the Lake Auburn Watershed, noted in the Comprehensive Plan as Rural Development District, with a density of one unit per acre to a district that has a maximum density of one unit per three acres. This essentially changes all current Rural Residential zoning in the watershed to Low Density Country Residential.

Staff Recommended Action: Review recommendations and provide feedback.

Previous Meetings and History: January 3rd Council Discussion Initiation, Community Conversations February 16 & March 2, 2022, Planning Board Workshop April 12th, 2022, Planning Board Public Hearing April 12, 2022

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Planning Board Staff Report, Future Land Use Chapter Excerpts, Planning Board Report, Ordinance.

Planning Board Workshop | April 12, 2022
Lake Auburn Watershed Ordinance Updates

Planning, Permitting & Code

auburnmaine.gov

AGENDA

Proposed lake auburn watershed ordinance updates

- Sense of **urgency** (can't wait on protection of public water supply)
- Guiding **team** to adopt and guide ordinance update (identify stakeholders)
- What is the **vision & strategy** (why and how)
- Greater **understanding & buy-in** (technical information)
- **Follow-up** with change and results (year 2, 4, 6)

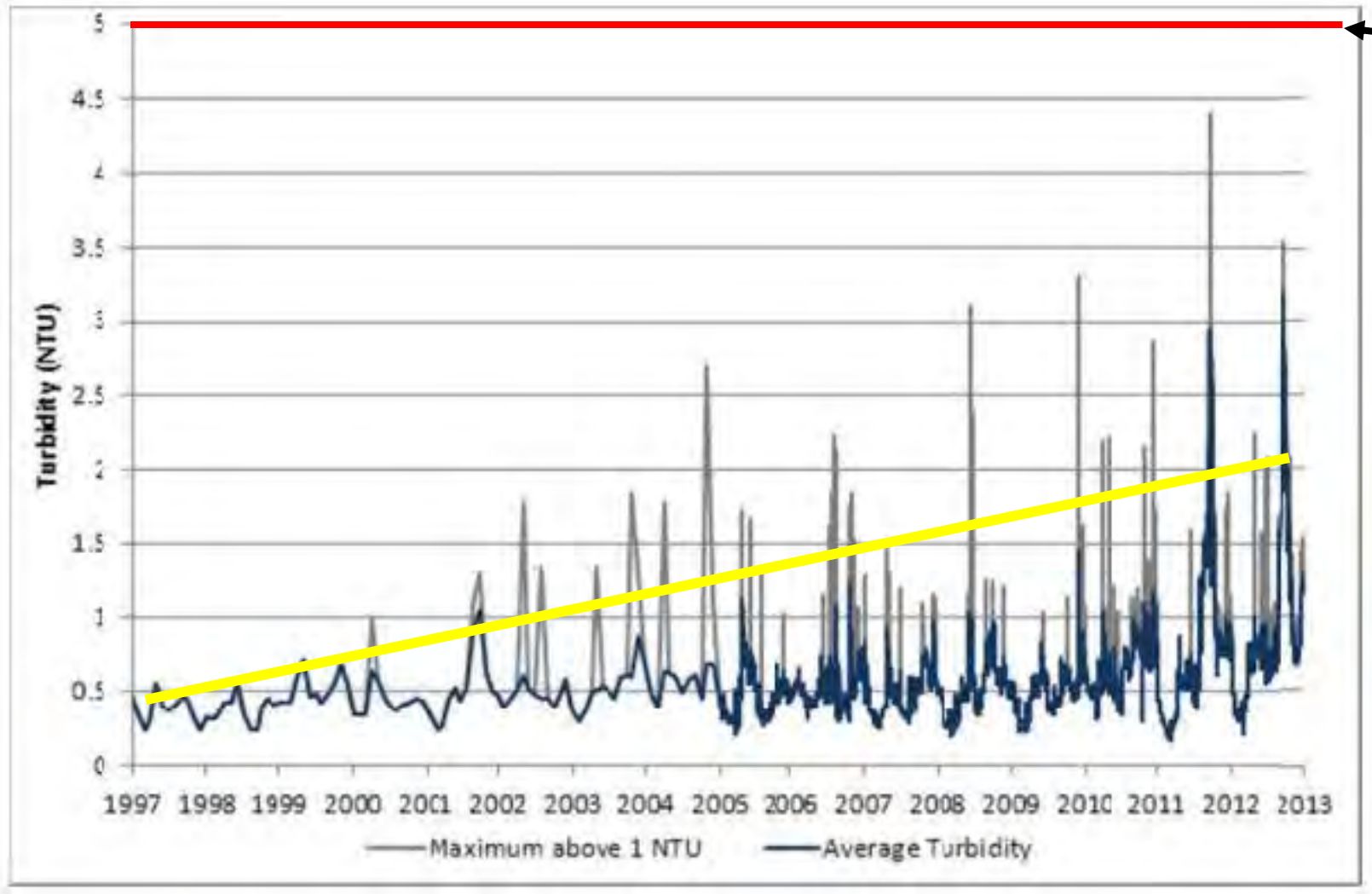
auburnmaine.gov

URGENCY!

- **The source of drinking water** for Auburn & Lewiston
- Lake Auburn high water quality has entitled the Auburn Water District to a **waiver from filtration** from the EPA; one of only 10 water utilities in Maine to do so.
- Development pressures – **LD1884, LD 1312** & lack of housing opportunities.
- Older developed lots without watershed protections (existing septic systems).

auburnmaine.gov

STATE OF LAKE AUBURN



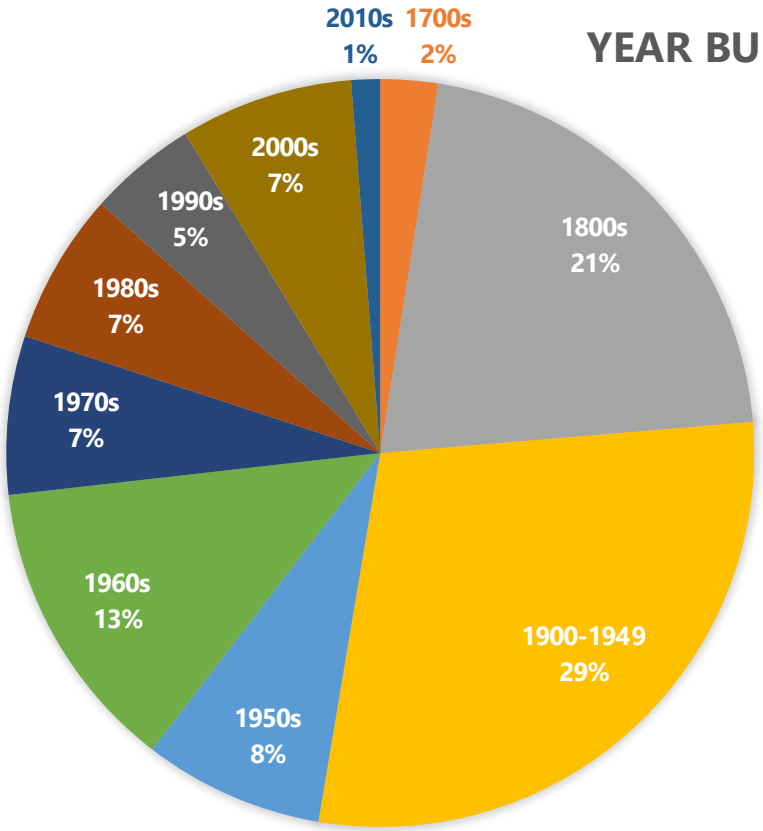
Average and Maximum when above 1 NTU Raw Water Intake Turbidity for 1997 to 2013

A Compliance Perimeters; 5 Nephelometric Turbidity Unit (NTUs). Measurement of suspended solids in the water.

In 2011 and 2012, however, water quality was degraded due to a combination of factors that raised turbidity in the lake to near the limit allowed under the filtration avoidance waiver granted to the Auburn Water District and Lewiston Water Division (AWD/LWD).

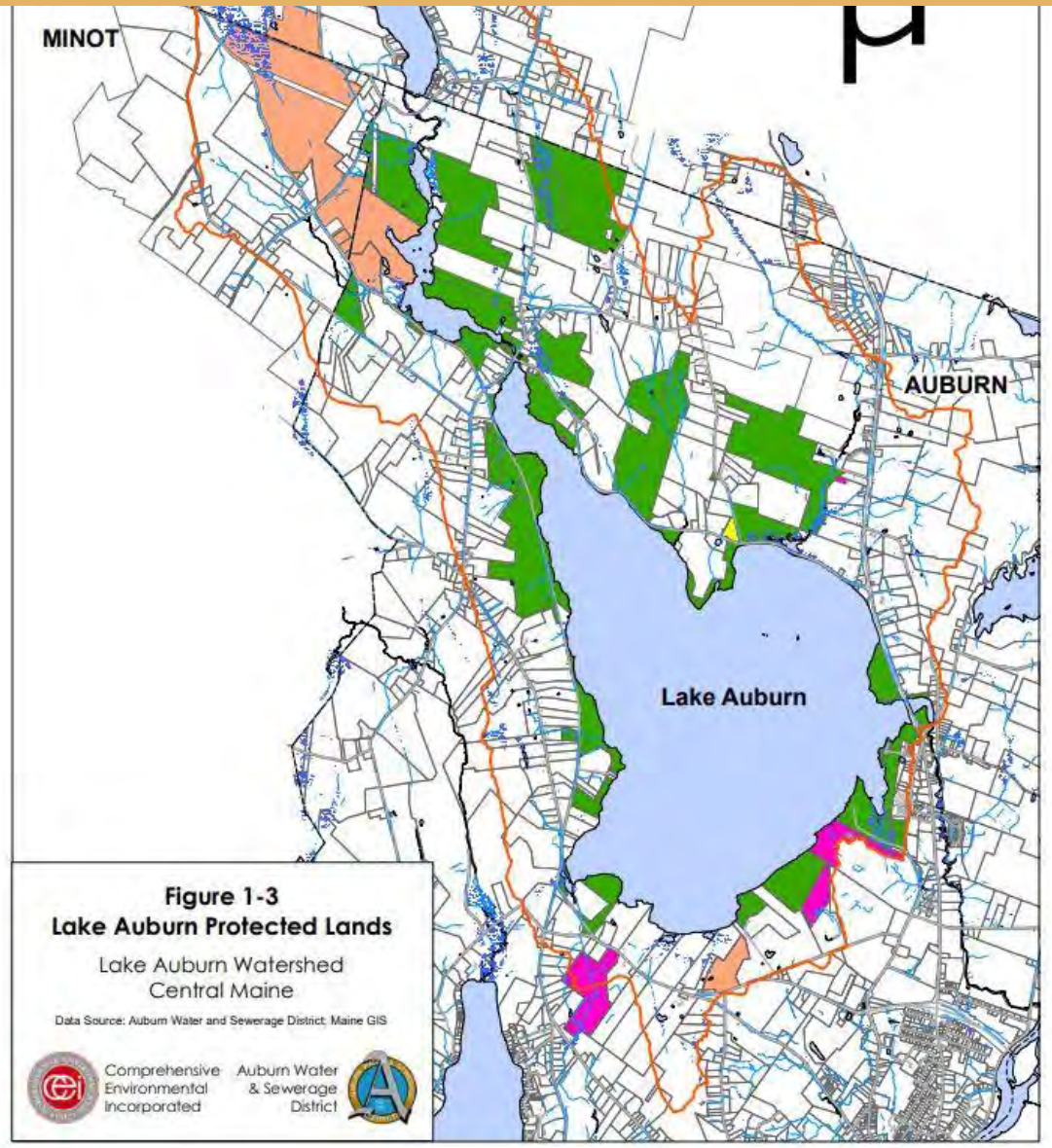
auburnmaine.gov

THE WATERSHED NUMBERS



YearBuilt	
1700s	8
1800s	68
1900-1949	93
1950s	25
1960s	41
1970s	22
1980s	21
1990s	15
2000s	24
2010s	4
Grand	321

275 systems are grandfathered to state subsurface wastewater standards for replacement systems out of a total of 321. (10-144 CMR 241), Maine Subsurface Wastewater Disposal Rules, Section 4, Design Criteria allows down to 9" (limiting factor) outside the shoreland zone.



VISION

Reports

Diagnostic Study of lake Auburn: Phase 1

Diagnostic Study of Lake Auburn: Phase 2

Lake Auburn Watershed Management Plan (2010)

A Regulatory Environmental, and Economic Analysis of Water Supply Protection Auburn, Maine (2021)

Recommendations from 2021Report that align with 2010 Report

1.) Align the septic system regulations contained in the Lake Auburn Watershed Overlay District Ordinance with the best available science and Maine's septic system regulations.

2.) Develop a clear set of standards for farm management that will limit phosphorus loading from commercial agricultural activities.

3.) Incorporate low impact development requirements for new single family residential development.

Other Recommendations:

1.) City is to increased density in other areas of the community.

2.) City to foster a working relationship with stakeholders

3.) City continue to support small watercraft restrictions.

4.) City support implementation of BMPs.

5.) City should support local YCC for summer conservation work.

6.) City recommends larger lot frontage in LDCR

TEAM APPROACH & ORDINANCE IDENTIFICATION

Stakeholders:

City of Auburn and city of Lewiston

(city-wide residents, mayor, council and staff)

Auburn & Lewiston water districts and consultants

Ordinances to be updated and Community Conversations Considerations:

1.) Limit additional suitable natural soil or fill material to 12".

2.) Require a septic inspection at point of sale in the Auburn Watershed Overlay Area.

Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

(f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

(1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36 12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

(2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain more than ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table- 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9 3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

(3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

(4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

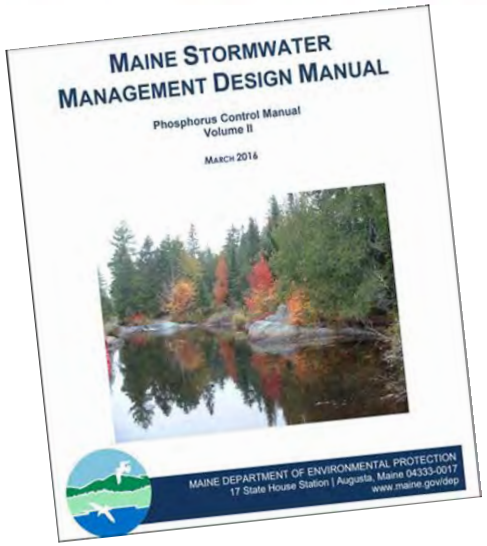
(5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

PHOSPHOROUS ORDINANCE SECTION 60-1070 TEXT AMENDMENT

APPROVED by Council on March 21, 2022

Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in ~~the manual Phosphorus Control and Lake Watersheds A Technical Guide to Evaluating New Development~~ design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016. ~~(Maine DEP et al., September 1989, with the Simple Review Method revised in May 1990).~~



- **Utilizes most current design manual available for Phosphorus Control**
- **Implements the use of low impact development (LID) techniques**
- **Focus on infiltration techniques best management practices. (BMP)**

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TECHNICAL INFORMATION

- Existing Conditions
- LID
- Buffers
- Stormwater Controls
- Soils
- Septic Design

Picture credit: City of Portland, Oregon, 2016.

Grassy Swales and Vegetated Swales (Bioswales)
Description
Gently sloping vegetated channels/depressions that convey stormwater and remove pollutants by sedimentation and infiltration through the soil. Maintenance requirements include litter removal and landscaping. Vegetated swales with native or non-invasive plants are preferable to grassy swales, which function primarily as a stormwater conveyance system.
Conditions Suited For
Swales require shallow slopes, well-draining soils, and a minimal width of 3 feet. They are typically long channels placed at the side of a road or parking lots. Where soils don't drain well, swales can overflow to an approved discharge location (typically, another BMP).
Additional Information
Maine Stormwater Management Design Manual Vol III Chapter 8.1. Vegetated Swale

Picture credit: Joy Stewart, USEPA.

Raingardens
Description
Landscaped depressions that collect runoff in a vegetated soil medium, where water infiltrates back into the ground, is absorbed by plants, evapotranspirates, or is redirected. Raingardens require some maintenance, such as watering during extreme droughts, and general landscaping. Raingardens should be planted with native or non-invasive plant species
Suitable for
Can be used in small residential installations to capture driveway or roof runoff, or to complement other BMPs in larger developments. Plants must be able to tolerate both dry and wet conditions.
Additional Information
Vermont Rain Garden Manual Native Plants for New England Rain Gardens New Hampshire Homeowner's Guide to Stormwater Management Do-It-Yourself Stormwater Solutions

Additional Phosphorus Ordinance Text Amendment Sec. 60-1066

(1) Any new building or structure with more than ~~575~~ 200 square feet of ground floor area.

Further Commits the City of Auburn to Watershed Protection and Water Quality.

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Appendix 2

Current Septic Design Standard

Auburn Zoning Ordinance Section 60-952(f)(1): Subsurface absorption areas shall not be permitted on sites on which the highest seasonal groundwater table, bedrock or other impervious layer is less than 36 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.

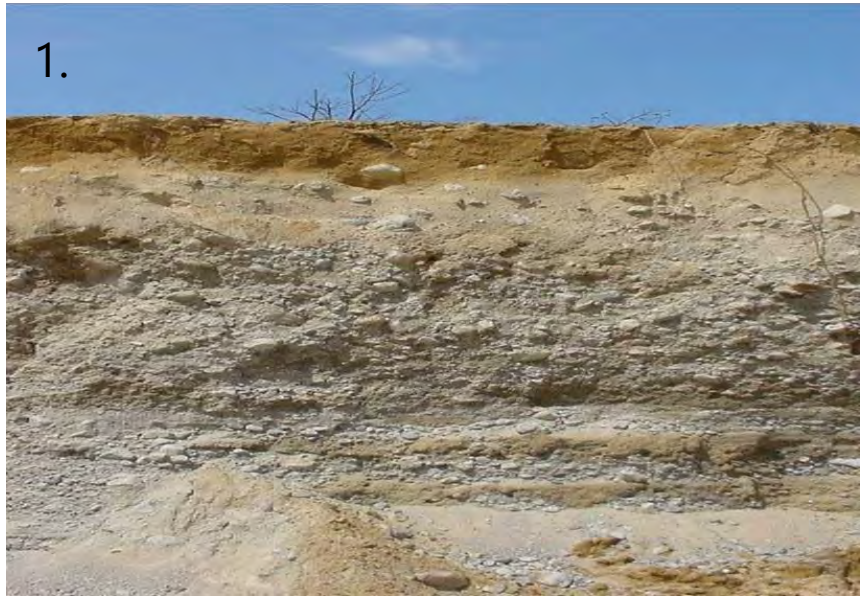
The Implication: Local standards within the Lake Auburn Watershed Overlay District limit development on a significant portion of the watershed by effectively prohibiting the use of innovative and alternative septic system and leach field designs to meet the 'depth to constraining layer' requirement. These innovative and alternative designs are otherwise allowed by the State and can achieve comparable or better nutrient removal than a traditional system and leach field.

Recommended Septic Design Standard

The Recommendation: Maintain a requirement for a minimum depth of 36 inches above the constraining layer (groundwater or bedrock), while allowing the use of State-approved alternative septic system and leach field designs that meet statewide standards.

This can be achieved by referencing the Maine Subsurface Wastewater Treatment Rules (10-144 CMR 241), with the exception that the required depth to the constraining layer would be at least 36 inches (specified by updating Table 4-F, Minimum Permitting Requirements and Minimum Design Requirements). Because the State rules already provide for the use of such alternative designs such as mounded leach fields and drip distribution systems, as well as other proprietary systems, these would be allowed in the Lake Auburn watershed as well.

SOILS



Photos of Maine soils. The first (1.) one shows an outwash soils with a finer textured topsoil layer. The second (2.) one shows a field profile typical in Maine where there is no organic horizon, just a plow layer. The third (3.) shows a spodosol, our most famous soil profile. We used to have a lot of these, but many have been destroyed by farming, forestry (skidding) or development. Note that all three-show little rooting below the upper most layer of soil.

Soil Filter Media: From the bottom-up (lower fill layer) consists of a loamy sand (see spec.) and a minimum of 6 inches of upper fill layer. (see specification)

New Soil Media Specification

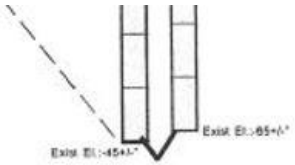
Upper Fill Layer	
Sieve #	% Passing by Weight
No. 4	75-95
No. 10	60-90
No. 40	35-85
No. 200	20-40
200 (clay size)	<2.0

Lower Fill Layer	
Sieve #	% Passing by Weight
No. 10	85-100
No. 20	70-100
No. 60	15-400
No. 200	6-8
200 (clay size)	<2.0

Replacement Disposal Profile

18 - 6' Plastic Chambers
(High Capacity- 16" high, CODE Table 6B)
USE any equivalent brand & length
of Plastic Chamber

2 trenches of 9 Chambers (56 ft. long)
@ 6 ft. center to center



> = 4" Solid PVC Connection Pipe

FILL REQUIREMENTS
Depth of Backfill (Upslope) 0 "
Depth of Backfill (Downslope) 0+/- "
DEPTH AT CROSS-SECTION (shown below)

CONSTRUCTION ELEVATIONS
Finished Grade Elevation (Top Row **) -39 "
Top of Distribution Pipe or Proprietary Devices -47 "
Bottom of Disposal Area -63 "
Bottom of Sand Layer -69+/- "

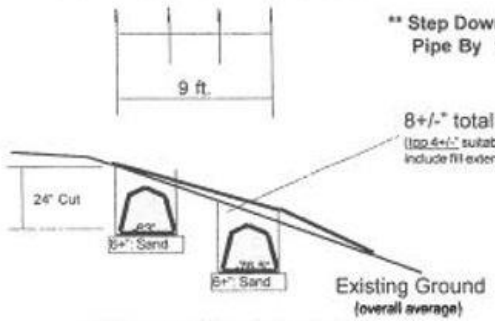
ELEVATION REFERENCE POINT
Location & Description top of bottom step
Reference Elevation is: 0.0" or:

Construction Notes:
1. General Installation procedure shall follow RULES Manual, section 11. Available from State. call: (207) 287 5689.
2. Beneath & around chambers: use 6"+ coarse sand. Mix same into the surface of unexcavated soil for an interface transitional zone.
3. Fill above chambers can be on-site soils or coarser material.
4. Inspection &/or an "Affidavit" of Site Preparation may be required by LPI prior to installaion.

DISPOSAL AREA CROSS SECTION

3 ft. Chambers w/ 3 ft. Spacing

Scale:
Vertical: 1" = 5 Ft.
Horizontal: 1" = 10 Ft.



** Step Down Connection Pipe By 13.5" Each

8+/-" total cover over Devices
(top 4+/-" suitable for Grass Growth, Sect 604.2.6. include fill extensions)

3' Plastic Chambers

FILL REQUIREMENTS (From Bottom of Specified Sand to Finished Grade)		CONSTRUCTION ELEVATIONS	Row A	Row B
Depth of Fill (Upslope)	25"	Finished Grade Elevation	-10"	-20"
		Top of Distribution Pipe or Proprietary Device	-22"	-32"
Depth of Fill (Downslope)	24"	Bottom of Disposal Area	-29"	-39"

ELEVATION REFERENCE POINT
Location & Description: Flagged Nail 15" Pine 76" AG
Reference Elevation: 0"

DISPOSAL AREA CROSS SECTION

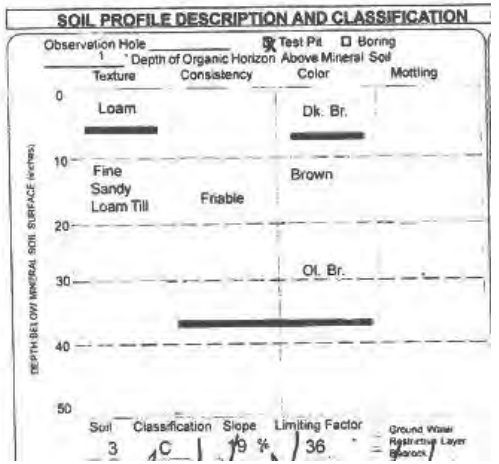
Scale
Horizontal 1" = 5 ft.
Vertical 1" = 3 ft.

Refer to 2019 GSF Maine Design and Installation Manual

CROSS SECTION A-A

Remove all organic materials, rocks and foreign materials from disposal area

SOIL PROFILE DESCRIPTION AND CLASSIFICATION



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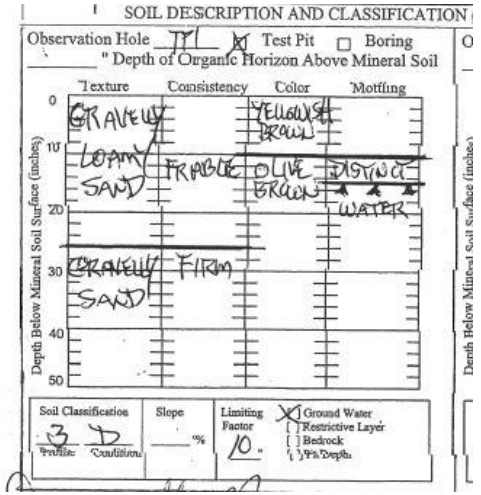

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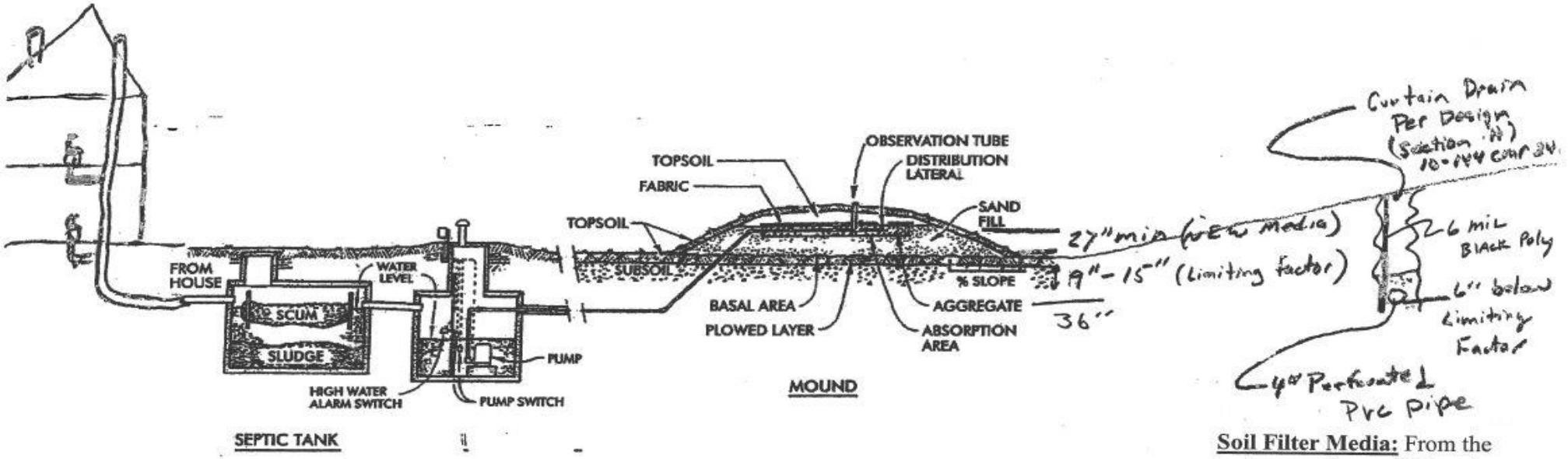

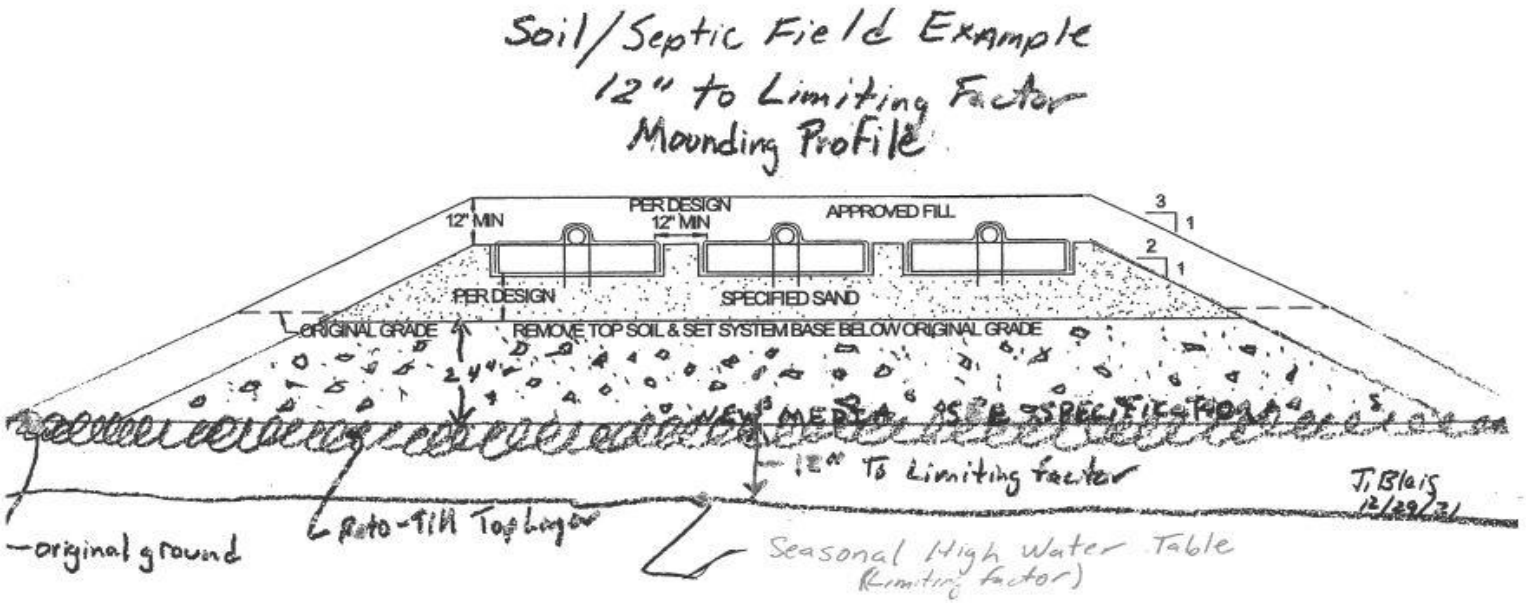

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No. 20	70-100
No. 60	15-400
No. 200	6-8
200 (clay size)	<2.0

- **Peer review: David Rocque, retired state soil scientist & currently licensed site evaluator & soil scientist**
- **Mottling of soils | restrictive layer | restrictive layer | seasonal high-water table**
- **Curtain drains - effectiveness of protection of septic disposal fields during high water table conditions and saturated soils from high rain events**

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FOLLOW-UP

Years 2, 4 & 6

How much development occurred?

How many existing sites did we correct?

Types of BMPs implemented

Quantify P, N & NO^2 trapped in the watershed

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Next Steps

Community Conversations: February 16 & March 2 , 2022

Planning Board Workshop: April 12th, 2022

Planning Board Public Hearing: April 12, 2022

Council Reading: April 18, 2022

Council Reading: May 2, 2022

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Workshop & Public Hearing proposed update to agricultural buffers, subsurface wastewater systems and phosphorus control.

Date: April 12, 2022

PROPOSAL: Updating Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in Division 4- Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure.

I. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board workshop to help draft the new section under:

II. Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

III. (f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

IV. (1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36 12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

V. (2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table- 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9-3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

VI. (3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

VII. (4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

VIII. (5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

(6)The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.

(7)The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.

e.**Sec. 60-1066 -Applicability** (1) Any new building or structure with more than 5 200 square feet of ground floor area.

Additional Considerations through Comprehensive Plan/Community Conversations and City Council:

1.) Limit additional suitable natural soil or fill material to 12”
2.) Require a septic inspection at point of sale in the Auburn Watershed Overlay Area.
3.) Map and text amendment to include minimum lot size to 3 acres and 1 dwelling unit per 3 acres.

Staff Recommendation (workshop): Planning board reviews this document and power point presentation and make suggestions to improve the recommendation provided by staff that was generated out of the 2021 Auburn Lake Study-A Regulatory Environmental, and Economic Analysis of Water Supply Protection, Comprehensive Plan, Community Conversations and Council considerations.

Staff Recommendation (public hearing): Allow for continued conversation and clarification about agricultural buffers, subsurface wastewater systems and phosphorus control as it pertains to potential ordinance changes, water quality protection and homeowners. Allow for a public hearing and make favorable recommendation to the council to allow for amended text changes as written above to Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in Division 4- Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure.

Additional Staff Recommendation: Recommend to council to move zoning map and text amendment forward for all residential lots within the Auburn Lake Watershed to Rural Development District as recommended in the 2021 Comprehensive Plan. This map and text amendment to include minimum lot size to 3 acres and 1 dwelling unit per 3 acres.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

On April 12, 2022 the City of Auburn Planning Board made the following recommendations:

Motion from Mathieu Duvall, Second from Riley Bergeron

"I move that we recommend that city council adopt this ordinance change with the following conditions:

First is that approval of this must coincide with the adoption of the zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan.

Second, that the city establishes a monitoring of the lake and the watershed with reports on a biannual basis based on a plan developed in collaboration with the Auburn Water District and other stakeholders. If it's discovered that degradation occurs through that monitoring program, that the city enacts a moratorium on the development until it can assess what needs to happen to stabilize conditions within the lake

And third, that we require inspection at the point of sale and on an ongoing five-year basis for all systems within the watershed."

Approved 7-0.

RURAL DEVELOPMENT DISTRICT (RD)

Objective **–** Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

Allowed Uses **–** The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix IV). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards **–** The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 4/14/2022

Author: Brian Wood, Assistant City Manger

Subject: Acquisition of the Lake Auburn Community Center Property

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Information:

The City of Auburn was approached by the Lake Auburn Watershed Neighborhood Association to purchase the Lake Auburn Community Center. The purchasing of this parcel would be to ensure current and future generations have access to this public land, tree farm, trails, volleyball courts and other recreational activities. This partnership will also generate educational opportunities for youth, with specific emphasis on environmental sustainability.

The City would also look to partner with other organizations to ensure proper upkeep and maintenance of this this parcel.

City Budgetary Impacts: $100,000.00 for the purchase of the community center

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Staff Recommended Action: N/A

Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022 **Order:** 52-04192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing Election Clerks for the period of May 1, 2022 through April 30, 2024.

Information: Title 21-A §503 states that the municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open. Nominations may be submitted by the municipal, county or state committees of the parties, by the municipal clerk or by any registered voter in the municipality or county.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage appointing Election Clerks.

Previous Meetings and History: 2-year appointments are made by May 1st of each General Election year.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Title 21-A §503-A
- List of nominated Election Clerks submitted by the Democratic Party (the Republican Party did not provide a list of names)
- Order

From:	mainedems@mainedems.org
To:	Susan Clements-Dallaire
Subject:	Democratic Election Clerk Volunteers
Date:	Thursday, March 31, 2022 4:23:12 PM

Hello Susan M Clements-Dallaire -

Since we did not hold caucuses in most towns this year, we have been recruiting Election Clerk volunteers online. Here are the Democrats from Auburn who expressed an interest in volunteering as Election Clerks:

Name: Joseph C Berry -- Email: Hbear13@Twc.Com -- Phone Number: 2075920143
Name: Amy Dieterich -- Email: Amydieterich@Gmail.Com -- Phone Number: 2075777627
Name: Gerald H Frenette -- Email: Gfrenette1@Roadrunner.Com -- Phone Number: 2075775672
Name: Anne M Kinney -- Email: Akinneyuu@Gmail.Com -- Phone Number: 2077827497
Name: Kiernan Innes Majerus-Collins -- Email: Kiernanmc@Gmail.Com -- Phone Number: 8604781427
Name: Celia A Mcguckian -- Email: Mainedeja@Yahoo.Com -- Phone Number: 2077863979
Name: Karen Melvin -- Email: Graciethepirate@Gmail.Com -- Phone Number: 2072408234
Name: Brian J Simion -- Email: Briansimion@Yahoo.Com -- Phone Number: 2077860073
Name: Wanda Sprague -- Email: Wandarers@Gmail.Com -- Phone Number: 2077832711

Please note that this list is meant to supplement, not replace, any existing lists that you have, or that may be provided by local Democratic Committees. Thank you, and let us know if you have any questions!

April Thibodeau
Maine Democratic Party
Party Affairs Director
athibodeau@mainedems.org
(207) 622-6233, ext. 5
Personal pronouns: She, Her, Hers

ORDER 52-04192022

City Council Order

IN CITY COUNCIL

ORDERED, that the following individuals hereby be appointed as Election Clerks for the period of May 1, 2022 through April 30, 2024.

PARTY	LAST NAME	FIRST NAME
R	Amero	Claire
R	Dufour	Louise
R	Galway	Bonnie
D	Berry	Joseph
D	Brodeur	Martha
D	Dieterich	Amy
D	Dufresne	Carmen
D	Frenette	Gerald
D	Kinney	Anne
D	Mailey	Joseph
D	Majerus-Collins	Kiernan Innes
D	Martelli	Stephen
D	McGuckian	Celia
D	Melvin	Karen
D	Pelliccia	Joseph
D	Pelliccia	Patricia
D	Simion	Brian
D	Sprague	Wanda

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Meeting Date: April 19, 2022 **Order:** 53-04192022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Shawn Estabrook

Information:

In August 2021 Detective Nicholas Gagnon completed a drug investigation and subsequent arrest of Shawn Estabrook. Members of the Auburn Police Department developed information regarding suspected drug trafficking at 163 Broad Street in Auburn

Detective Gagnon and Officer Tyler Ham conducted a bail conditions check at 163 Broad Street on the first floor. They entered the apartment and observed two males sitting at the kitchen table later identified as Shawn Estabrook and Mark Conley. Detective Gagnon observed Estabrook hide something in his left pocket. Estabrook was secured in handcuffs and patted down. Detective Gagnon retrieved the hidden item which turned out to be a baggie containing a large amount of suspected fentanyl (25 grams). On the table in front of Estabrook was a digital scale, a Samsung cell phone and $1,132.00 in suspected drug proceeds. All the items were seized and Estabrook was arrested.

Estabrook was arrested for Aggravated Trafficking of Scheduled "W" Drugs T17-A Sec. 1105-A.1.H. (CLASS A) and one count of Unlawful Possession of Schedule "W" Drugs T17-A SEC. 1107-A.1.B.8 (CLASS C).

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer $1,132.00U.S. Currency to the Auburn Police Department. Funds will be used for ongoing K-9 expenses.

Staff Recommended Action: Vote to accept the transfer of $1,132.00.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: *None

Auburn Police Department

Jason D. Moen | Chief of Police
Timothy A. Cougle | Deputy Chief of Police
www.AuburnPD.com | 207.333.6650
60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: April 11, 2022

To: Chief Jason Moen

From: Lt. Barry Schmieks

RE: CITY COUNCIL TRANSFER OF FORFEITURE ASSET- SHAWN ESTABROOK

In August 2021 Detective Nicholas Gagnon completed a drug investigation and subsequent arrest of Shawn Estabrook. Members of the Auburn Police Department developed information regarding suspected drug trafficking at 163 Broad Street in Auburn

Detective Gagnon and Officer Tyler Ham conducted a bail conditions check at 163 Broad Street on the first floor. They entered the apartment and observed two males sitting at the kitchen table later identified as Shawn Estabrook and Mark Conley. Detective Gagnon observed Estabrook hide something in his left pocket. Estabrook was secured in handcuffs and patted down. Detective Gagnon retrieved the hidden item which turned out to be a baggie containing a large amount of suspected fentanyl (25 grams). On the table in front of Estabrook was a digital scale, a Samsung cell phone and $1,132.00 in suspected drug proceeds. All the items were seized and Estabrook was arrested.

Estabrook was arrested for Aggravated Trafficking of Scheduled "W" Drugs T17-A Sec. 1105-A.1.H. (CLASS A) and one count of Unlawful Possession of Schedule "W" Drugs T17-A SEC. 1107-A.1.B.8 (CLASS C).

ORDER 53-04192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of $1,132 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-1689).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL SPECIAL MEETING MARCH 28, 2022 VOL. 36 PAGE 241

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

Pledge of Allegiance

I. Presentation - Court Street/City Core Zoning Amendments
Michael Malloy, City Attorney and Eric Cousens, Director Planning and Permitting

II. Unfinished Business

1. **Ordinance 11-03212022**
Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2). **Public hearing and second reading.**

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

Public hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. New Business

1. **Order 46-03282022**
   Directing the Planning Board to review the proposed text and map amendments to the Court Street/City Core of Urban Residential Area to Traditional Neighborhood District Areas; review the T-4.2B District text, hold a public hearing and forward a recommendation back to the City Council.

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

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

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

IV. Adjournment

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

A TRUE COPY

ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

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

Pledge of Allegiance

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

1. **Order 47-04042022***
Appointing Jennifer Edwards as the Local Health Officer for the City of Auburn with a term expiration of 4/4/2025.

2. **Order 48-04042022***
Approving the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2021 – March 31, 2022 and authorizing the City Manager to sign the annual reports.

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

Passage 7-0.

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

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

Passage 7-0.

III. **Communications, Presentations and Recognitions**

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

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

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

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

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

IV. Open Session

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

V. Unfinished Business

1. Ordinance 12-03212022

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

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Resolve 02-04042022

Supporting the utilization of Maine's Dual Enrollment Program.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Public hearing – Proposed Charter Amendments

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

No one from the public spoke.

The public hearing closed at 8:08 pm.

3. **Order 49-04042022**
Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the June 14, 2022 Election.

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

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

Passage 7-0.

4. **Order 50-04042022**
Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to purchase a Quint Fire Truck.

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

Public comment - No one from the public spoke.

Passage 7-0.

5. **Order 51-04042022**
Approving the allocation of ARPA (American Rescue Plan Act) funds to be used to build a new PAL (Police Activities League) Center.

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

Public comment:

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

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

Passage 7-0.

6. **Ordinance 13-04042022**
Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).

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

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

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

VII. Open Session

VIII. Reports (from sub-committees to Council)

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

City Manager Crowell provided an update on the budget schedule.

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

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

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

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022 **Ordinance:** 13-04042022

Author: Jeremy Gatcomb, Recreation Director

Subject: Amending Chapter 34.

Information: Attached is an updated policy regarding Chapter 34 of the Parks, Recreation, Facilities and Special Events.

City Budgetary Impacts: None currently.

Staff Recommended Action: Approve proposed amendment changes.

Previous Meetings and History: City Council Workshop on February 1, 2021, passage of first reading on April 4, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Chapter 34 ordinance

ORDINANCE 13-04042022

City Council Ordinance

IN CITY COUNCIL

AMENDING CHAPTER 34 – PARKS, RECREATION, AND CULTURAL AFFAIRS

Be it ordained, that the City Council hereby amends Chapter 34 of our Code of Ordinances as proposed by staff in the attached document.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance 13-04042022 attachment

Chapter 34 - PARKS, RECREATION, FACILITIES AND SPECIAL EVENTS ~~CULTURAL AFFAIRS~~[1]

Footnotes:

--- (**1**) ---

State Law reference— Municipal parks, trees and playgrounds generally, 30-A M.R.S.A. § 3252 et seq.; designation of safe zones in areas frequented by minors, 30-A M.R.S.A. § 3253; public shade trees, 30-A M.R.S.A. § 3281 et seq.; appointment and duties of tree wardens, 30-A M.R.S.A. § 3282; removal of trees, 30-A M.R.S.A. § 3283; destruction or injury to trees prohibited, 30-A M.R.S.A. § 3284.

ARTICLE I. - IN GENERAL

Sec. 34-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Park means any publicly owned area maintained by the city parks and recreation department for the pursuit and enjoyment of leisure and recreational activities, in addition to any one of the following areas within the boundaries shown on the records at the assessor's office: See Appendix A

Smoking means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy. Non-smoking marijuana products including, but not limited to, edibles and dabs are also included in this policy.

Tobacco means all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus, and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

Marijuana means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not.

~~*Park* means any publicly owned area maintained by the city parks and recreation department for the pursuit and enjoyment of leisure and recreational activities, in addition to any one of the following areas within the boundaries shown on the records at the assessor's office: See Appendix A Middle School Park, Mount Apatite Park, Central Park, Moulton Park, Pulsifer Park, Auburn Municipal Beach, Pettengill Park, Union Street Gully, Raymond Park, Camp Exchange Day Camp, Riverfront Park and Bonney Park, West Pitch Park, Lakeview Park and Cleveland Field, Chestnut Street Park, Garfield Road Park, North River Road Boat Launch, Drummond Street Playground, Lake Street Playground, and Festival Plaza.~~

Secs. 34-2—34-20. - Reserved.

ARTICLE II. - PARKS AND RECREATION DEPARTMENT

Sec. 34-21. - Appointment of Executive Director of Community Partnership and Sport Tourism~~parks and recreation director~~.

The Executive Director of Community Partnership and Sport Tourism shall be appointed by the city manager and shall oversee all community partnerships and support the opportunities for sports tourism in Auburn. ~~The parks and recreation director shall be appointed by the city manager and shall serve as head of the parks and recreation department.~~

Sec. 34-22. - Duties of Executive Director of Community Partnership and Sport Tourism shall be as follows:.~~parks and recreation director~~.

~~The~~ Executive Director of Community Partnership and Sport Tourism ~~parks and recreation director shall have the following duties:~~

(1) ~~Does work~~Works collaboratively with the Recreation Director, Recreation Superintendent and the NSBA Operations Manager ~~involving responsibility for~~ developing and administering a comprehensive program of community cultural, recreational and other leisure time activities.

(2) Performs responsible professional recreation and park duties in the planning, organizing and direction of a citywide park, athletic and recreational area maintenance and ~~park~~ capital improvement program, including Ingersoll Turf Facility ~~Ice Arena~~, Senior Community Center, Hasty Community Center, and Norway Savings Bank Arena;

(3) Prepares budget requests for recreation activities, park development and maintenance, capital equipment, the capital improvement program, the arena enterprise account and the special recreation activities ~~account, and~~account, and prepares grants for recreation programming and park development.

(4) ~~Controls expenditures in order that they will be kept within appropriations.~~

~~(5) Coordinates the parks and recreation program with other public, private and quasi-public groups providing park and recreation opportunities for the community.~~

~~(6) Serves as the ex officio member of the parks and recreation advisory board and advises it on parks and recreation issues.~~

~~(7) Recommends to the city manager program and facilities fees and charges and negotiates contracts leading to the rental of the arena.~~

(8) Ensures that program objectives are met through the selection, assignment and supervision of professional, supervisory and other personnel assigned to the department.

(9) Performs other duties assigned by the city manager.

~~(10) Auburn Public Works Department maintains all playground equipment, playgrounds, athletic fields and cemeteries.~~

Sec. 34-23. Appointment of parks and recreation director.

The parks and recreation director shall be appointed by the city manager, with input from the Executive Director of Community Partnership and Sport Tourism and shall oversee the parks and recreation department.

Sec. 34-24. Duties of the Parks and Recreation Director shall be as follows:

1. Coordinates with the Executive Director to ensure the planning, organizing and direction of a citywide park, athletic and recreational area maintenance and capital improvement program meets the needs of the community.
2. Responsible for the staffing of all positions for programming.
3. Controls expenditures in order that they will be kept within appropriations.
4. Coordinates the parks and recreation program with other public, private and quasi-public groups providing park and recreation opportunities for the community.
5. Serves as the ex officio member of the parks and recreation advisory board and advises it on parks and recreation issues.
6. Coordinates with the Public Works Department to ensure the maintenance is conducted for all playground equipment, playgrounds, athletic fields, and cemeteries.
7. Perform other duties as assigned by the Executive Director.

Secs. 34-~~23~~25—34-47. - Reserved.

ARTICLE III. - RULES AND REGULATIONS

Sec. 34-48. - Establishment of park rules. ~~and fees.~~

The director of the parks and recreation department shall recommend to the city manager and the parks and recreation advisory board and then to the city council rules ~~and fees~~ governing the use of parks and other public lands, which shall be posted on the city's website. An up-to-date copy of such rules shall also be on file in the office of the city clerk.

(Code 1967, § 18-1.6)

~~Sec. 34-49. - Penalty.~~

~~Any person violating any provision of the rules and regulations in this article adopted by the parks and recreation department shall be punished by a fine of not more than $200.00.~~

Sec. 34-4950. - Park season.

In general, all municipal parks are open year round but are maintained for public use only from April May 1 to November 30 annually, with the exception of Mount Apatite Park, which is open and maintained all year.

Sec. 34-501. - Protection of park property.

Except with the permission of an authorized representative of the parks and recreation department, no person in a park shall:

(1) Willfully mark, damage or remove any building, structure, tables, benches, signs or other similar appurtenances or equipment.

(2) Dig up, disfigure or remove any soil or vegetation or make any excavation. This does not apply to the area of Mount Apatite Park known as the mines. Here, digging, sorting through and otherwise disrupting the exposed mineral resources, to a depth of not greater than two feet, for the purpose of amateur gem and mineral collecting will be permitted. Persons engaging in this activity shall use hand tools only.

(3) Construct any building or structure or run any public service utility into or across such park lands.

(4) Throw away or leave trash or refuse except in proper receptacles.

(5) Throw away all pet waste created in proper city maintained wastes receptacles.

Sec. 34-512. - Operation of vehicles.

No person in a park shall:

(1) Operate a motor vehicle except with a valid operator's license.

(2) Operate an unregistered motor vehicle.

(3) Fail to observe all traffic signs.

(4) Drive any vehicle except a bicycle on or in any area except paved park roads or parking areas as may on occasion be specifically designated by the parks and recreation department. This subsection (4) shall not apply to the operation of snowmobiles in Mount Apatite Park during periods when there is an adequate snow cover.

Sec. 34-532. - Recreational activities.

No person in a park shall:

(1) Swim, bathe or wade in the waters of any park except in such places as are specifically designated for swimming and bathing purposes and in compliance with rules and regulations adopted by the parks and recreation department.

(2) Hunt, trap or pursue wildlife.

(3) Discharge firearms.

(4) Set up or erect tents, shacks or other temporary shelters except at such times and under such conditions as are permitted, in writing, by the parks and recreation department.

(5) Build or attempt to build any fires without the written permission of an authorized representative of the parks and recreation department, and without the proper permits from the fire department as may be required.

(6) Skateboard, bicycling, inline skate or roller skate on any ~~-~~paved or unpaved surface, stairways, grass or landscaped areas or within any playing court area, without the ~~written~~ permission of an authorized representative of the parks and recreation department. This subsection (6) shall not apply to the participation in or viewing of skateboarding, inline skating or roller skating on and within ~~a~~the designated skating area at Moulton Park and Riverwalk.~~-~~

(7) ~~Ride a bicycle or roller skates or roller blades on the grass or landscaped areas, on park stairways, or in a reckless manner anywhere within the park. Riding bicycles and using roller skates or roller blades on park stairways in a responsible manner, so as not to endanger other users or interfere with their enjoyment of the park, is permitted.~~

(8) Enter or engage in any activity after dusk and/or before dawn, without the written permission of an authorized representative of the department. Excluding Chestnut Park under the lights up to the hour of 9:00 p. m. This subsection (8) shall not apply to the participation in or viewing of authorized recreation activities in Pettengill Park under the lights up to the hour of 11:00 p.m.

Sec. 34-5~~4~~3. - Alcoholic beverages, Tobacco and illegal drugs.

Auburn is dedicated to providing everyone with a safe and healthy environment at all City recreational area properties. The City of Auburn specifically restricts the use of any tobacco and marijuana products, including, but not limited to cigarettes, cigars, dip, chew, dabs, electronic nicotine delivery devices, Juuls. (see Definitions) All persons using recreational properties must adhere to the following rules:

(a) No person shall have any alcoholic beverages in his/her possession in a park area except~~:~~

~~(1) In connection with a group outing at Camp Exchange Day CampTot Lot in accordance with rules and regulations adopted by the City. parks and recreation department.~~

~~(2) At the Hasty Community Center, Recreational Facilities on occasions where specifically permitted by and in accordance with rules and regulations adopted by the parks and recreation department.~~

~~(3)~~ ~~In~~ in connection with any special event or activity as specifically permitted by and in accordance with rules and regulations adopted by the parks and recreation department ~~and with final approval through the application process and City Council approval.~~ .

(b) No person shall have any illegal drugs or other illegal substances in his/her possession in any park or facility at any time.

(c) No person shall use tobacco or marijuana products in or on city-owned athletic fields, city-owned parks, city-owned playgrounds, city-owned trails, city-owned beaches; including but not limited to Festival Plaza, Auburn Riverwalk, Ingersoll Turf Facility, Norway Savings Bank Arena, Hasty Community Center, Auburn Community Senior Center, Pettengill Park Baseball and Softball Fields, Lakeview Fields, Chestnut Field, PAL Center and Mount Apatite.

~~(b) Tobacco and Marijuana use on all school grounds is prohibited by state law at all times.~~

~~Notifications:~~

(d). The parks and recreation staff or their representatives will have the authority to notify offenders about the policy and have the authority to ask person(s) to leave if uncooperative. Notifications will follow the norms and procedures of other ordinances. The parks and recreation department shall place signs at the beginning and end point of any city trail as well as in such other locations that the parks and recreation department deem necessary to notify the public of this ordinance. ~~There will be a three-month educational period before the ordinance is put into effect.~~

Sec. 34-54~~55~~. - Entering area closed to public.

No person in a park shall enter an area which has been posted as being closed to the public.

Sec. 34-55~~6~~. - Loitering.

No person in a park shall loiter in such a manner as to hinder the free passage of vehicles or pedestrians to any place or building within the park.

Sec. 34-56~~7~~. - Sales activities.

No person shall offer any article or thing for sale in a park without first obtaining written permission from an authorized representative of the parks and recreation department.

Sec. 34-57~~8~~. - Fishing in Gully Brook.

No person over the age of 15 years shall fish in that part of Gully Brook which flows through Pettengill Park.

Sec. 34-58 Enforcement/Penalties:

Person who violate any provision of this article shall be guilty of an infraction, punishable by a fine of $200.00 and said fines shall be recovered for use by the City

(Code 1967, § 27-1.30)

Appendix A

Middle School Park, Mount Apatite Park, Central Park, Moulton Park, Pulsifer Park, Auburn Municipal Beach, Pettengill Park, Gracelawn Softball Fields, Union Street Gully, Raymond Park, Tot Lot, Riverfront Park and Bonney Park, West Pitch Park, Lakeview Park and Cleveland Field, Chestnut Street Park, Garfield Road Park, North River Road Boat Launch, Drummond Street Playground, Lake Street Playground, Norway Savings Bank Arena, Ingersoll Turf Facility, Senior Community Center, PAL Facility and Festival Plaza.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022 **Order:** 54-04192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Adoption of 5 Year Capital Improvement Plan

Information The City Manager and School Superintendent have each presented a 5 Year Capital Improvement Plan. By Charter, the City Council has to adopt the Capital Plan before the end of the current fiscal year.

City Budgetary Impacts: This action is just adopting the plan.

Staff Recommended Action: Adoption of the 5 Year Capital Improvement Plan

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Previous Meetings and History: Joint workshop with City Council and School Committee on March 21, 2022 and Council workshop on April 4, 2022.

City Manager Comments:
The 5 Year Capital Improvement Plan is a conceptual plan for the City's long-term capital improvement program which is subject to change due to changing circumstances.

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
CIP 5 Year Plan

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
AUBURN-LEWISTON AIRPORT					
Reconstruct East Side Airport Parking Apron and Helipad and EA for Helipad			$ 70,000		
Hangar Door Repair	$ 75,000				
Hangar Building 5 Roof					$ 150,000
TOTAL AUBURN-LEWISTON AIRPORT	**$ 75,000**	**$ -**	**$ 70,000**	**$ -**	**$ 150,000**
CITY CLERK					
Record Restoration	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Fire Proof Vault Construction				$ 100,000	
TOTAL CITY CLERK	**$ 100,000**	**$ 100,000**	**$ 100,000**	**$ 200,000**	**$ 100,000**
ECONOMIC AND COMMUNITY DEVELOPMENT					
Economic Development & Planning					
Dangerous Building Demolition	$ 120,000	$ 100,000	$ 200,000	$ 100,000	$ 100,000
Comprehensive Plan Program	$ 400,000	$ 400,000	$ 400,000		
Downtown Parking and Walkability-Grant Match	$ 148,000	$ 500,000	$ 400,000	$ 400,000	$ 400,000
Electrical -Transferring to PW CIP					
TOTAL ECONOMIC AND COMMUNITY DEVELOPMENT	**$ 668,000**	**$ 1,000,000**	**$ 1,000,000**	**$ 500,000**	**$ 500,000**
CAPITAL INVESTMENT AND PURCHASING					
Facilities					
Public Safety Facility	$ 300,000	$ 4,100,000	$ 19,300,000	$ 255,000	$ 3,000,000
*Engine 5 Reception Area Renovations/Supervisors Office		$ 40,000			
*Engine 5 Heat Pump/AC Installation		$ 25,000			
Festival Plaza Rehabilitation Project	$ 2,000,000				
*Engine 2 Heat Pump/Ac Installation	$ 25,000				
*Central Fire Window Replacement		$ 80,000			
*Engine 5 Gender Friendly accommodations/Restroom upgrades	$ 75,000				
Intermodal Facility		$ 15,000			
Auburn Hall Lighting LED/Lighting Control conversion	$ 60,000				
*Engine 5 Window Replacement	$ 80,000				
*Central Fire Gender Friendly accommodations/Restroom upgrades	$ 150,000				
*Central Fire Replace Air Handler		$ 150,000			
Public Works Life Safety/Code Compliance Correction		$ 75,000			
Public Works Building Planning					$ 300,000
Public Works Repoint Brick		$ 42,000	$ 42,000		
*Central Fire Boiler Replacement			$ 75,000		
*Central Fire Install Fire Sprinkler and Fire Alarm System			$ 120,000		
Auburn Hall Reconfiguration/APD Relocate					$ 500,000
Auburn Hall Building Exterior repairs				$ 90,000	
Auburn Hall Flooring Replacement	$ 13,000				
Auburn Public Library New Boilers		$ 100,000			
Public Restroom Facilities				$ 200,000	
Hasty Sprinkler System	$ 100,000				

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
Connecting Hasty and Ingersoll Turf Facility				TBA	TBA
Mezzanine Viewing area Ingersoll Turf		TBA			
Ingersoll Turf Exterior Signage	$ 10,000				
Turf re-conditioning/equipment repair	$ 12,000		$ 10,000		
Rink 2 - Dirt Floor Removal & Cement Slab Install	$ 500,000				
Knight House Repairs	$ 40,000				
Total Facilities	**$ 3,365,000**	**$ 4,627,000**	**$ 19,547,000**	**$ 545,000**	**$ 3,800,000**
City wide Vehicles					
Police Vehicle Replacement	$ 275,000	$ 275,000	$ 275,000	$ 275,000	$ 275,000
Public Works Replace Car (Ford Focus)		$ 35,000			
Electrical Division bucket truck replacement	$ 218,400				
Electrical Division-Vehicle Replacement	$ 48,000				
Recreation Mini Bus replacement/upgrade		$ 80,000			
14 Passenger Van (replace)	$ 25,000				
Recreation Truck	$ 45,000				
Total City Wide Vehicles	**$ 611,400**	**$ 390,000**	**$ 275,000**	**$ 275,000**	**$ 275,000**
Engineering					
Reconstruction	$ 1,200,000	$ 1,300,000	$ 1,300,000	$ 1,500,000	$ 1,500,000
Reclamation	$ 1,800,000	$ 600,000	$ 1,400,000	$ 1,800,000	$ 2,500,000
Major Drainage	$ 500,000	$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 1,000,000
MDOT Match	$ 1,100,000	$ 1,800,000	$ 1,100,000	$ 1,400,000	$ 625,000
Resurfacing	$ 600,000	$ 1,200,000	$ 1,300,000	$ 1,000,000	$ 1,000,000
Sidewalks	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Total Engineering	**$ 5,300,000**	**$ 6,000,000**	**$ 6,200,000**	**$ 6,800,000**	**$ 6,725,000**
TOTAL CAPITAL INVESTMENTS & PURCHASING	**$ 9,276,400**	**$ 11,017,000**	**$ 26,022,000**	**$ 7,620,000**	**$ 10,800,000**
FIRE DEPARTMENT					
Fire					
Apparatus Replacement	$ 1,650,000	$ 85,000	$ 785,000	$ 60,000	$ 50,000
Fire Hose Replacement				$ 40,000	
Extrication equipment replacement		$ 40,000			
Air-pac replacement					
Rescue Boat Replacement			$ 30,000		
UTV/Rescue equipment					
Cascade air fill station system replacement				$ 60,000	
Total Fire	**$ 1,650,000**	**$ 125,000**	**$ 815,000**	**$ 160,000**	**$ 50,000**
EMS					
Ambulance Replacement		$ 290,000	$ 170,000		$ 180,000
Cardiac monitors		$ 70,000	$ 70,000	$ 70,000	$ 70,000
Stretcher Replacement			$ 30,000		$ 32,000
Chest Compression Systems					
Training simulator mannequin	$ 50,000				
Ventilators		$ 40,000			
Ultrasound Equipment	$ 15,000				
Total EMS	**$ 65,000**	**$ 400,000**	**$ 270,000**	**$ 70,000**	**$ 282,000**
TOTAL FIRE DEPARTMENT	**$ 1,715,000**	**$ 525,000**	**$ 1,085,000**	**$ 230,000**	**$ 332,000**

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
INFORMATION TECHNOLOGY					
Eagle-View Oblique Imagery-GIS/Assessing		$ 50,000		$ 50,000	
TOTAL INFORMATION TECHNOLOGY	$ -	$ 50,000	$ -	$ 50,000	$ -
LA911 (Auburn's share)					
Server Infrastructure Replacement		$ 150,000			
Communications Center					$ 1,250,000
Dispatch Center HVAC				$ 100,000	
TOTAL LA911	$ -	$ 150,000	$ -	$ 100,000	$ 1,250,000
POLICE DEPARTMENT					
Cruiser Camera System Replacement				$ 200,000	
Body worn Cameras					$ 280,000
Gym Equipment Replacement	$ 25,000				
Digital Mapping Equipment					$ 50,000
Patrol Rifle Replacement	$ 35,000				
Mobile Printers & Fingerprint Readers	$ 50,000				
Emergency Operations Center Upgrade	$ 50,000				
TASER Upgrade		$ 88,000			
Mobile Data Terminal Replacement		$ 108,000			
Command Vehicle Replacement			$ 300,000		
TOTAL POLICE DEPARTMENT	$ 160,000	$ 196,000	$ 300,000	$ 200,000	$ 330,000
PUBLIC WORKS					
Public Works					
Replace 7 yard plow trucks (plowing/sanding and roadway maintenance)		$ 490,000	$ 735,000	$ 490,000	$ 980,000
Replace 12 yard plow trucks (plowing/sanding and roadway maintenance)	$ 520,000			$ 260,000	
Replace front end loader (loading materials and snow removal)	$ 195,000		$ 195,000	$ 490,000	
Replace Street Sweeper (sand and debris removal from roadways)	$ 265,000	$ 265,000			
Grader		$ 450,000			$ 450,000
Portable Lift System					
Replace One Ton Trucks (parks and roadway maintenance)	$ 127,590	$ 65,000		$ 64,000	
Replace Pickups (parks and roadway maintenance)	$ 50,000	$ 100,000	$ 80,000	$ 45,000	$ 90,000
Hot Box Pavement Reclaimer			$ 45,000		
Backhoe	$ 145,000				
Replace multi-use tractor (sidewalk maintenance and mowing)	$ 163,300	$ 163,000		$ 163,000	
Trench Box		$ 15,000			

CITY OF AUBURN
CITYWIDE FIVE YEAR - CAPITAL IMPROVEMENT PLAN
FY 23 - FY 27

Description	FY23	FY24	FY25	FY26	FY27
Replace tractor (haul) Used	$ 75,000				
Portable Flagging Station with trailer	$ 50,000				
Infield Groomer	$ 32,600				
Drone	$ 20,000				
Court St Sidewalk	$ 70,000				
Replace Vactor Truck			$ 525,000		
Pressure Washer for Wash Bay		$ 50,000			
Replace Western Star Pulp Truck				$ 275,000	
Replace chipper		$ 80,000			
Replace Loader Mounted Snow Blower					$ 150,000
Relamp traffic signal LED					
Vehicle x 3 /portable x 2 Communication Radios 800 HZ	$ 8,750	$ 9,000			
Main st. underground signal conduit repair	$ 12,000	$ 12,000			
TOTAL PUBLIC WORKS	**$ 1,734,240**	**$ 1,699,000**	**$ 1,580,000**	**$ 1,787,000**	**$ 1,670,000**
RECREATION & SPORTS FACILITIES					
Recreation					
Athletic Field Complex Phase I				TBA	TBA
Pettingill Parking Expansion (Study or Design)	$ 50,000	TBA			
Upper Pettengill Field Renovation		$ 50,000	$ 250,000		
Senior Center Building Improvement/Technology		$ 10,000			$ 10,000
Tot Lot Upgrades (Design)					
Electronic Signage in Pettengill Park		$ 50,000			
Security for Pettengill Park (Fields and Playgorunds)		$ 25,000			
Lift		$ 20,000			
Side by Side	$ 15,000				
TOTAL RECREATION & SPORTS FACILITIES	**$ 65,000**	**$ 155,000**	**$ 250,000**	**$ -**	**$ 10,000**
EDUCATION (See attached list)					
TOTAL CIP	$ 13,793,640	$ 14,892,000	$ 30,407,000	$ 10,687,000	$ 15,142,000

* If Public Safety Facility Plan is approved, all starred items would be unnecessary.

ORDER 54-04192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby adopts the FY 2023 - 2027 (5 year) Capital Improvement Plan, as presented by the City Manager and School Superintendent.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **March 2022 Financial Report**

DATE: **April 20, 2022**

The following is a discussion regarding the significant variances found in the City's March financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its ninth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 75.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through March 31st, including the school department were $82,157,648 or 86.08% of the budget. The municipal revenues including property taxes were $58,372,800, or 91.45% of the budget which is more than the same period last year by 0.53%. The accounts listed below are noteworthy.

A. The current year tax revenue is at 94.62%, the second payment was due March 15th. We are currently $300,565 higher than this time last year.

B. Excise tax for the month of March is at 75.61%. This is an decrease of $290,177 compared to FY 21.

C. State Revenue Sharing at the end of March is 122.22% or $1,119,0892 more than in FY 21.

City of Auburn, Maine
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Expenditures

City expenditures through March 2022 were $37,297,410 or 79.18% of the budget. This is a 1.72% increase for the same period last year. Noteworthy variances are:

A. Fiscal Services are higher than last year due to the higher debt service payments than last year.

B. Administration, Community Services, Public Safety and Public Works are higher than last year.

Investments

This section contains an investment schedule as of March 31st. Currently the City's funds are earning an average interest rate of 0.11%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of March 2022, February 2022, and June 2021

	March 2022 2022	February 28 2022	Increase (Decrease)	AUDITED JUNE 30 2021
ASSETS				
CASH	$ 35,529,504	$ 27,277,212	$ 8,252,292	$ 25,988,510
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,130,601	1,158,886	(28,285)	1,928,565
TAXES RECEIVABLE-CURRENT	2,734,872	18,324,643	(15,589,771)	55,238
DELINQUENT TAXES	400,360	404,498	(4,138)	809,349
TAX LIENS	575,629	597,787	(22,158)	636,696
NET DUE TO/FROM OTHER FUNDS	2,932,999		2,932,999	-
TOTAL ASSETS	**$ 43,303,965**	**$ 47,763,026**	**$ (4,459,061)**	**$ 29,418,358**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (101,248)	$ (2,356)	$ (98,892)	$ (1,037,281)
PAYROLL LIABILITIES	(932,256)	1,136,681	(2,068,937)	(846,341)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(32,139)	(28,431)	(3,708)	-
ESCROWED AMOUNTS	(141,204)	(141,199)	(5)	-
DEFERRED REVENUE	(3,536,128)	(19,152,194)	15,616,066	(1,551,069)
DUE TO OTHER FUNDS	-	(3,050,393)	3,050,393	(3,877,470)
TOTAL LIABILITIES	**$ (4,743,066)**	**$ (21,237,983)**	**$ 16,494,917**	**$ (11,275,956)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (35,763,263)	$ (23,526,227)	$ (12,237,036)	$ (15,143,586)
FUND BALANCE - RESTRICTED	(1,364,114)	(2,309,553)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(689,263)	(744,259.00)	(689,263)
TOTAL FUND BALANCE	**$ (38,560,899)**	**$ (26,525,043)**	**$ (12,035,856)**	**$ (18,142,402)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (43,303,965)**	**$ (47,763,026)**	**$ 4,459,061**	**$ (29,418,358)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH March 31, 2022 VS March 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAR 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 47,349,675	94.62%	$ 49,655,498	$ 47,049,110	94.75%	$ 300,565
PRIOR YEAR TAX REVENUE	$ -	$ 513,399		$ -	$ 818,165		$ (304,766)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 3,345,718	75.61%	$ 4,112,861	$ 3,635,895	88.40%	$ (290,177)
PENALTIES & INTEREST	$ 120,000	$ 81,393	67.83%	$ 150,000	$ 127,995	85.33%	$ (46,602)
TOTAL TAXES	$ 56,237,450	$ 52,580,233	93.50%	$ 55,338,359	$ 53,036,705	95.84%	$ (456,472)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 233,451	140.63%	$ 166,000	$ 207,014	124.71%	$ 26,437
NON-BUSINESS	$ 300,200	$ 307,769	102.52%	$ 392,400	$ 341,483	87.02%	$ (33,714)
TOTAL LICENSES	$ 466,200	$ 541,220	116.09%	$ 558,400	$ 548,497	98.23%	$ (7,277)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 3,849,923	122.22%	$ 2,708,312	$ 2,730,834	100.83%	$ 1,119,089
WELFARE REIMBURSEMENT	$ 90,656	$ 34,414	37.96%	$ 90,656	$ 26,447	29.17%	$ 7,967
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 13,573	42.42%	$ 2,190
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 4,321,692	111.07%	$ 3,459,352	$ 3,191,707	92.26%	$ 1,129,985
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 125,813	68.23%	$ 198,440	$ 112,006	56.44%	$ 13,807
PUBLIC SAFETY	$ 176,600	$ 121,029	68.53%	$ 181,600	$ 133,370	73.44%	$ (12,341)
EMS TRANSPORT	$ 1,250,000	$ 1,119,331	89.55%	$ 1,200,000	$ 835,717	69.64%	$ 283,614
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,366,173	84.80%	$ 1,580,040	$ 1,081,093	68.42%	$ 285,080
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 36,769	88.60%	$ 55,000	$ 20,931	38.06%	$ 15,838
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 19,348	48.37%	$ 80,000	$ 36,834	46.04%	$ (17,486)
RENTS	$ 125,000	$ 13,661	10.93%	$ 35,000	$ 33,597	95.99%	$ (19,936)
UNCLASSIFIED	$ 20,000	$ 28,102	140.51%	$ 10,000	$ 138,780	1387.80%	$ (110,678)
COMMERCIAL SOLID WASTE FEES	$ -	$ 37,779		$ -	$ 37,765		$ 14
SALE OF PROPERTY	$ 120,000	$ 33,577	27.98%	$ 25,000	$ 78,514	314.06%	$ (44,937)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 174,083	74.39%	$ 230,000	$ 155,943	67.80%	$ 18,140
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 13,854	69.27%	$ 20,000	$ 12,434	62.17%	$ 1,420
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 320,404	11.05%	$ 2,838,673	$ 493,867	17.40%	$ (173,463)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 59,166,491**	90.82%	**$ 63,829,824**	**$ 58,372,800**	91.45%	**$ 793,691**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 22,430,127	77.61%	$ 26,217,074	$ 19,801,879	75.53%	$ 2,628,248
EDUCATION	$ 518,821	$ 561,031	108.14%	$ 717,415	$ 309,326	43.12%	$ 251,705
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ -	0.00%	$ 970,862	$ -	0.00%	$ -
TOTAL SCHOOL	$ 30,298,286	$ 22,991,158	75.88%	$ 27,905,351	$ 20,111,205	72.07%	$ 2,879,953
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 82,157,648**	**86.08%**	**$ 91,735,175**	**$ 78,484,005**	**85.55%**	**$ 3,673,643**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH March 31, 2022 VS March 31, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU MAR 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 97,813	93.29%	$ 99,000	$ 63,496	64.14%	$ 34,317
CITY MANAGER	$ 447,401	$ 348,011	77.79%	$ 776,095	$ 499,693	64.39%	$ (151,682)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 797,541	87.48%	$ 609,260	$ 557,946	91.58%	$ 239,595
CITY CLERK	$ 237,474	$ 173,322	72.99%	$ 216,946	$ 167,378	77.15%	$ 5,944
FINANCIAL SERVICES	$ 810,303	$ 575,845	71.07%	$ 751,849	$ 539,088	71.70%	$ 36,757
HUMAN RESOURCES	$ 220,250	$ 155,692	70.69%	$ 157,057	$ 109,883	69.96%	$ 45,809
TOTAL ADMINISTRATION	$ 2,731,915	$ 2,148,224	78.63%	$ 2,610,207	$ 1,937,484	74.23%	$ 210,740
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 599,006	66.51%	$ 1,339,047	$ 721,307	53.87%	$ (122,301)
ECONOMIC DEVELOPMENT	$ 108,469	$ 86,678	79.91%				$ 86,678
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 208,298	40.66%				$ 208,298
HEALTH & SOCIAL SERVICES	$ 119,875	$ 74,134	61.84%	$ 199,282	$ 103,100	51.74%	$ (28,966)
RECREATION & SPORTS TOURISM	$ 584,056	$ 429,551	73.55%	$ 520,474	$ 432,807	83.16%	$ (3,256)
PUBLIC LIBRARY	$ 1,052,163	$ 789,122	75.00%	$ 1,031,533	$ 773,650	75.00%	$ 15,472
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 2,186,789	66.72%	$ 3,090,336	$ 2,030,864	65.72%	$ 155,925
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 7,629,420	98.65%	$ 7,577,735	$ 7,590,676	100.17%	$ 38,744
FACILITIES	$ 677,872	$ 487,732	71.95%	$ 667,494	$ 493,971	74.00%	$ (6,239)
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 4,871,295	66.41%	$ 6,840,635	$ 4,753,447	69.49%	$ 117,848
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (2,500)	-0.54%	$ 2,500
TOTAL FISCAL SERVICES	$ 16,850,603	$ 13,630,847	80.89%	$ 16,189,004	$ 13,477,504	83.25%	$ 153,343
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 4,278,854	78.56%	$ 5,302,131	$ 4,043,302	76.26%	$ 235,552
POLICE DEPARTMENT	$ 4,343,924	$ 3,358,372	77.31%	$ 4,332,339	$ 3,128,861	72.22%	$ 229,511
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 7,637,226	78.01%	$ 9,634,470	$ 7,172,163	74.44%	$ 465,063
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 3,802,104	74.88%	$ 4,979,329	$ 3,432,961	68.94%	$ 369,143
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 647,957	59.45%	$ 1,051,318	$ 681,454	64.82%	$ (33,497)
WATER AND SEWER	$ 792,716	$ 585,902	73.91%	$ 792,716	$ 585,902	73.91%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 5,035,963	72.36%	$ 6,823,363	$ 4,700,317	68.89%	$ 335,646
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 180,092	101.75%	$ 170,000	$ 167,110	98.30%	$ 12,982
E911 COMMUNICATION CENTER	$ 1,161,479	$ 871,109	75.00%	$ 1,134,304	$ 851,208	75.04%	$ 19,901
LATC-PUBLIC TRANSIT	$ 225,000	$ 118,715	52.76%	$ 331,138	$ -	0.00%	$ 118,715
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,179,916	64.35%	$ 1,905,442	$ 1,028,318	53.97%	$ 151,598
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 37,297,410**	**79.18%**	**$ 45,932,563**	**$ 35,822,211**	**77.99%**	**$ 1,475,199**
EDUCATION DEPARTMENT	$ 48,341,366	$ 24,667,380	51.03%	$ 45,802,612	$ 27,354,140	59.72%	$ (2,686,760)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 61,964,790**	**64.92%**	**$ 91,735,175**	**$ 63,176,351**	**68.87%**	**$ (1,211,561)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF March 31, 2022

INVESTMENT		FUND	BALANCE March 31, 2022	BALANCE February 28, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,350,082.63	$ 6,348,734.83	**0.10%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,956.14	$ 1,051,732.92	**0.10%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 18,426,614.04	$ 11,928,290.31	**0.10%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,551.79	$ 52,540.66	**0.10%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,782.25	$ 339,710.13	**0.10%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,874.70	$ 226,826.55	**0.10%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,677.03	$ 62,663.73	**0.10%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 163,690.08	$ 159,382.64	**0.10%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,376.58	$ 15,373.32	**0.10%**
NOMURA		ELHS Bond Proceeds	$ 30,374,814.00	$ 36,870,477.00	**0.15%**
GRAND TOTAL			**$ 57,064,419.24**	**$ 57,055,732.09**	**0.11%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of March 31, 2022

	Beginning Balance 3/1/2022	March 2022 New Charges	March 2022 Payments	March 2022 Refunds	March 2022 Adjustments	March 2022 Write-Offs	Ending Balance 3/31/2022
Bluecross	**$ 15,553.48**	$ 18,744.80	$ (2,606.14)		$ (14,897.74)		**$ 16,794.40**
Intercept	**$ -**	$ 150.00					**$ 150.00**
Medicare	**$ 98,264.75**	$ 186,922.40	$ (53,367.42)		$ (112,330.75)		**$ 119,488.98**
Medicaid	**$ 48,065.66**	$ 58,278.40	$ (32,379.00)		$ (19,355.43)		**$ 54,609.63**
Other/Commercial	**$ 76,897.16**	$ 29,270.60	$ (17,490.45)		$ 679.50		**$ 89,356.81**
Patient	**$ 116,889.00**	$ 15,308.20	$ (14,057.59)	$ 1,529.25	$ 12,762.83	$ (20,140.79)	**$ 112,290.90**
Worker's Comp	**$ -**	$ 1,945.80					**$ 1,945.80**
TOTAL	**$ 355,670.05**	**$ 310,620.20**	**$ (119,900.60)**	**$ 1,529.25**	**$ (133,141.59)**	**$ (20,140.79)**	**$ 394,636.52**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of March 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 8,815.60	$ 18,744.80	$ 93,506.87	3.57%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -		$ 150.00	$ 1,150.00	0.04%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 132,523.40	$ 186,922.40	$ 1,538,576.63	58.79%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 72,265.40	$ 58,278.40	$ 565,445.10	21.60%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 20,858.60	$ 29,270.60	$ 286,192.89	10.94%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 10,717.40	$ 15,308.20	$ 123,575.45	4.72%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80		$ 1,945.80	$ 8,753.80	0.33%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 245,180.40	$ 310,620.20	$ 2,617,200.74	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of March 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	9	19	96	3.22%
Intercept	0		4	4	1	1	0	0	3	13	0.44%
Medicare	244	172	227	174	226	186	168	156	204	1757	58.84%
Medicaid	82	54	100	64	80	48	60	81	65	634	21.23%
Other/Commercial	34	32	48	44	51	35	20	22	39	325	10.88%
Patient	45	19	12	13	15	10	11	11	16	152	5.09%
Worker's Comp	1	0	2	1	0	0	3	0	2	9	0.30%
TOTAL	416	287	406	305	385	293	267	279	348	2986	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of March 31, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 12,470.37	74%	$ 261.13	2%	$ -	0%	$ -	0%	$ 4,062.90	24%	$ 16,794.40	4.26%
Intercept	$ 150.00		$ -								$ 150.00	0.04%
Medicare	$ 83,656.50	70%	$ 20,421.09	17%	$ 2,731.40	2%	$ 111.87	0%	$ 12,568.12	11%	$ 119,488.98	30.28%
Medicaid	$ 30,751.72	56%	$ 10,587.56	19%	$ 5,628.18	10%	$ 4,120.21	8%	$ 3,521.96	6%	$ 54,609.63	13.84%
Other/Commercial	$ 48,707.37	55%	$ 14,273.84	16%	$ 7,687.00	9%	$ 2,592.52	3%	$ 16,096.08	18%	$ 89,356.81	22.64%
Patient	$ 32,370.55	29%	$ 25,232.18	22%	$ 18,064.93	16%	$ 21,541.80	19%	$ 15,081.44	13%	$ 112,290.90	28.45%
Worker's Comp	$ 1,945.80										$ 1,945.80	0.49%
TOTAL	$ 210,052.31		$ 70,775.80		$ 34,111.51		$ 28,366.40		$ 51,330.50		$ 394,636.52	
	53%		18%		9%		7%		13%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of March 31, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 55,419.98	$ 332.00	$ 503.80		$ 2,917.39	$ 437.00				$ 15,676.00	$ (342,758.00)	$ 109,031.40	$ 2,859.80	$ 7,507.50	$ 2,416.38	$ 13,184.10
Expenditures FY22	$ 158,761.00	$ 39.98			$ 2,428.74	$ 846.65			$ 124.21	$ 15,676.00	$ 277,563.74	$ 154,644.87	$ 4,553.76	$ -	$ 2,379.07	$ 11,643.26
Fund Balance 3/31/2022	**$ 495,864.17**	**$ 6,828.98**	**$ 34,870.15**	**$ 1,221.68**	**$ 5,620.03**	**$ (409.65)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ (488,571.53)**	**$ (158,358.95)**	**$ 5,281.18**	**$ 20,103.75**	**$ 4,356.29**	**$ 4,361.77**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 2,160.19	$ 300.00	$ 256,935.21	$ 1,121.75	$ 74,079.00		$ 8,358.37			$ 9,886.13	$ 36,024.65			$ 8,000.00	$ 30.10	$ 181,915.97
Expenditures FY22	$ 2,431.26		$ 491,401.01	$ 1,144.80	$ 78,404.19	$ (2,600.00)	$ 2,250.09		$ 2,599.72	$ 9,886.13	$ 32,279.22	$ 1,695.00		$ 7,996.88	$ 7,173.19	$ 237,246.04
Fund Balance 3/31/2022	**$ (271.07)**	**$ (8,205.29)**	**$ 1,468,495.89**	**$ 30,547.27**	**$ 8,514.15**	**$ 2,560.00**	**$ 8,837.43**	**$ 20,536.23**	**$ 23,647.32**	**$ -**	**$ 96,769.87**	**$ (1,695.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 21,346.45**	**$ 169,764.75**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22		$ 3,569.36						$ (3,111.14)	$ 47,000.00		$ 3,879.70		$ 258,136.15
Expenditures FY22	$ 1,304.77	$ 4,055.05	$ -	$ (1,610.17)		$ 23,325.00		$ 17,361.95	$ 21,646.39		$ 490,906.18	$ 5,256.00	$ 367,966.07
Fund Balance 3/31/2022	**$ 4,911.03**	**$ (485.69)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,082.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,285,873.02**	**$ (5,256.00)**	**$ 142,493.77**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,623,177.43
Expenditures FY22			$ 325,813.31	$ 230,043.00	$ 77,327.19	$ 521,902.89	$ 15,262.43		$ 42,197.72		$ 21,046.16	$ 162,488.08	$ 25,046.84	$ 24,946.75	$ 3,876,854.42
Fund Balance 3/31/2022	**$ 158,933.46**	**$ 806,274.01**	**$ 258,177.98**	**$ (519,427.49)**	**$ 532,821.84**	**$ (831,294.36)**	**$ 15,262.40**	**$ 29,980.29**	**$ 18,075.39**	**$ 75,484.55**	**$ 105,107.11**	**$ 53,872.65**	**$ 22,987.84**	**$ (101,927.06)**	$ 6,976,278.90

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for March 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of March 31, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of March 31, 2022.

Current Assets:
As of the end of March 2022 the total current assets of Ingersoll Turf Facility were $226,827. This consisted of cash and cash equivalents an increase from February of $44.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of March 31, 2022, were $89,514.

Liabilities:
Ingersoll had accounts payable of $322 as of March 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through March 2022 are $162,058. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through March 2022 were $116,111. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of March 2022, Ingersoll has an operating gain of $45,947 compared to $24,339 in February an increase in the gain of $21,608.

As of March 31, 2022, Ingersoll has an increase in net assets of $45,947.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
March 31, 2022
Business-type Activities - Enterprise Fund

		March 31, 2022	February 28, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,827	$ 226,783	$ 44
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,827	226,783	44
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,341	316,297	44
LIABILITIES				
Accounts payable		$ 322	$ -	322
Interfund payable		$ 3,234	$ 25,120	(21,886)
Total liabilities		3,556	25,120	(21,564)
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 223,271	$ 201,663	$ 21,608
Total net assets		**$ 312,785**	**$ 291,177**	**$ 21,608**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
March 31, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 162,058
Operating expenses:	
Personnel	73,019
Supplies	14,903
Utilities	17,787
Repairs and maintenance	4,846
Rent	-
Depreciation	-
Capital expenses	5,556
Other expenses	-
Total operating expenses	116,111
Operating gain (loss)	45,947
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	45,947
Transfers out	-
Change in net assets	45,947
Total net assets, July 1	266,838
Total net assets, March 31, 2022	**$ 312,785**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through March 31, 2022 compared to March 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAR 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 9,775	39.10%	$ 25,000	$ 9,825	39.30%
Batting Cages	$ 16,000	$ 16,116	100.73%	$ 13,000	$ 17,395	133.81%
Programs	$ 94,000	$ 45,360	48.26%	$ 90,000	$ 8,897	9.89%
Rental Income	$ 138,000	$ 90,362	65.48%	$ 102,000	$ 75,308	73.83%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 161,613	59.20%	$ 230,000	$ 111,425	48.45%
INTEREST ON INVESTMENTS	$ -	$ 445		$ -	$ 1,025	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 162,058**	**59.36%**	**$ 230,000**	**$ 112,450**	**48.89%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through March 31, 2022 compared to March 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU MAR 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 73,019	54.88%	$ 187,546	$ 103,363	55.11%	$ (30,344)
Purchased Services	$ 15,750	$ 4,846	30.77%	$ 14,450	$ 4,800	33.22%	$ 46
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 14,903	596.12%	$ 4,000	$ 2,538	63.45%	$ 12,365
Utilities	$ 24,150	$ 17,787	73.65%	$ 25,650	$ 15,185	59.20%	$ 2,602
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,556		$ -	$ -		$ 5,556
	$ 191,741	$ 116,111	60.56%	$ 250,146	$ 125,886	50.33%	$ (9,775)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 116,111**	**60.56%**	**$ 250,146**	**$ 125,886**	**50.33%**	**$ (9,775)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for March 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of March 31, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities, and net assets and shows a comparison to the previous month, in this case, February 28, 2022.

Current Assets:
As of the end of March 2022 the total current assets of Norway Savings Bank Arena were ($1,249,597). These consisted of cash and cash equivalents of $275,058, accounts receivable of $10,219, and an interfund payable of $1,534,874.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of March 31, 2022 was $195,258.

Liabilities:
Norway Arena had accounts payable of $2,840 as of March 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through March 2022 are $695,506. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals.

The operating expenses for Norway Arena through March 2022 were $516,835. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of March 2022, there was an operating gain of $178,671.

As of March 31, 2022, Norway Arena has an increase in net assets of $178,671.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $80,734 more than in FY21 and expenditures in FY22 are $19,161 less than last year in March.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
March 31, 2022
Business-type Activities - Enterprise Fund

		March 31, 2022	February 28, 2021	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 275,058	$ 275,258	$ (200)
Interfund receivables		$ (1,534,874)	$ (1,527,966)	$ (6,908)
Prepaid Rent				$ -
Accounts receivable		10,219	190,627	$ (180,408)
	Total current assets	(1,249,597)	(1,062,081)	(187,516)
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(1,054,339)	(866,823)	(187,516)
LIABILITIES				
Accounts payable		$ 2,840	$ -	$ 2,840
Net OPEB liability		$ 43,810	$ 43,811	$ (1)
Net pension liability		42,634	42,634	-
Total liabilities		89,284	86,445	2,839
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,338,881)	$ (1,148,526)	$ (190,355)
Total net assets		**$ (1,143,623)**	**$ (953,268)**	**$ (190,355)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
March 31, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 695,506
Operating expenses:	
Personnel	243,533
Supplies	52,626
Utilities	163,725
Repairs and maintenance	26,011
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	516,835
Operating gain (loss)	178,671
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	178,671
Transfers out	-
Change in net assets	178,671
Total net assets, July 1	(1,322,294)
Total net assets, March 31, 2022	**$ (1,143,623)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through March 31, 2022 compared to March 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAR 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 14,250	86.36%	$ 16,500		0.00%	$ 14,250
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 782	39.10%	$ 3,000		0.00%	$ 782
Games Vending Machines	$ 3,000	$ 1,093	36.43%	$ 3,000		0.00%	$ 1,093
Vending Food	$ 2,000	$ 148	7.40%	$ 3,000	$ 19	0.63%	$ 129
Sponsorships	$ 185,000	$ 132,664	71.71%	$ 230,000	$ 118,110	51.35%	$ 14,554
Pro Shop	$ 7,000	$ 4,622	66.03%	$ 7,000	$ 1,459	20.84%	$ 3,163
Programs	$ 20,000	$ 2,370	11.85%	$ 20,000	$ -	0.00%	$ 2,370
Rental Income	$ 683,500	$ 483,613	70.76%	$ 727,850	$ 472,084	64.86%	$ 11,529
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 23,100	46.20%	$ 1,760
Tournaments	$ 50,000	$ 30,679	61.36%	$ 55,000		0.00%	$ 30,679
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 695,506	67.85%	$ 1,122,850	$ 614,772	54.75%	$ 80,734

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through March 31, 2022 compared to March 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU MAR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU MAR 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 243,533	71.75%	$ 328,913	$ 210,351	63.95%	$ 33,182
Purchased Services	$ 123,928	$ 56,951	45.95%	$ 120,000	$ 89,998	75.00%	$ (33,047)
Supplies	$ 79,000	$ 52,626	66.62%	$ 83,000	$ 48,743	58.73%	$ 3,883
Utilities	$ 250,350	$ 163,725	65.40%	$ 244,650	$ 186,904	76.40%	$ (23,179)
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 516,835	61.88%	$ 826,563	$ 535,996	64.85%	$ (19,161)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 516,835**	**61.88%**	**$ 826,563**	**$ 535,996**	**64.85%**	**$ (19,161)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: April 19, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
May 2, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Police Department Restructuring – Jason Moen
- **B.** Lake Grove Park Discussion – Dan Goyette
- **C.** Executive session – Economic development (Lewiston) – pursuant to 1 M.R.S.A. Sec. 405(6)(C)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Morin

Pledge of Allegiance

I. Consent Items - None

II. Minutes

- April 19, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

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

2. Order 55-05022022
Approving the allocation of $100,000 American Rescue Plan Act (ARPA) funds for the Lake Auburn Community Center.

3. Ordinance 14-05022022
Amending Auburn's Code of Ordinances, Chapter 60-952(c) and (f) (1-5) for agricultural buffer trip and subsurface wastewater systems in the Lake Auburn Watershed. **Public hearing and first reading.**

4. Ordinance 15-05022022
Amending Auburn's Code of Ordinances, Chapter 60, Sec. 60-1066 (1). **Public hearing and first reading**.

5. Order 56-05022022
Authorizing the City's general obligation bonds in the amount of $7,100,00.00
to finance the City's FY23 Capital Improvement Program. Public hearing and first reading.
Passage requires an affirmative vote of 5 Councilors at the second reading.

6. Order 57-05022022
Authorizing the reallocation of $362,600 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. First reading.
Passage requires an affirmative vote of 5 Councilors at the second reading.

7. Resolve 03-05022022
Adopting the Appropriations Resolve for Fiscal Year 2023. Public hearing and first reading.
Passage requires an affirmative vote of 4 Councilors at the second reading.

8. Order 58-05022022
Authorizing the School Committee be authorized to establish an Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward LIttle High School and adjacent athletic fields.

9. Order 59-05022022
The School Committee be authorized to establish a School Technology Equipment Reserve Fund for the purpose of funding purchase and maintenance of computers, tablets, audiovisual equipment and related technology for the School Department.

10. Order 60-05022022
Authorizing City Staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - Economic Development - pursuant to 1 M.R.S.A. Sec. 405(6)(C)

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Dan Goyette

Subject: Lake Grove Park ARPA Allocation

Information: The City Council authorized $150,000 of ARPA funds towards the re-opening of the municipal beach at Lake Grove Park. The Department has been investigating several paths towards making this happen.

City Budgetary Impacts: None.

Staff Recommended Action: Move forward with testing and fountain installation.

Previous Meetings and History: April 4, 2022 - Council expressed a desire to have fountains installed and move forward with water quality testing.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Subject: Executive Session

Information: Economic development (Lewiston), pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

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

Pledge of Allegiance

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

1. Order 52-04192022*
Appointing Election Clerks for a two-year term.

2. Order 53-04192022*
Accepting the transfer of $1,132 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-1689).

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

Passage 7-0.

I. Minutes

March 28, 2022, Special Council Meeting

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

Passage 7-0.

April 4, 2022, Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

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

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

IV. Open Session

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

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

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

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

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

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

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

V. Unfinished Business

1. Ordinance 13-04042022
Amending Chapter 34 (tobacco and marijuana use at recreation facilities and fields).
Public hearing and second reading.

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

Public hearing – No one from the public spoke.

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

VI. New Business

1. Order 54-04192022
Adopting the Fiscal Year 2023-2027 Five-year Capital Improvement Plan (CIP).

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

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

Jill Eastman, Finance Director – March 2022 Final Monthly Report

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

Passage 7-0.

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

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

Passage 7-0, time 7:40 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Public Hearing prior to release of the DRAFT CDBG & HOME Annual Action Plan

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Information: The City of Auburn is required to hold a Public Hearing prior to the release of the draft annual action plan. The purpose of this Public Hearing is to obtain the views of residents of the community on housing and community development needs, including priority non-housing community development needs and affirmatively furthering fair housing. Staff will release the Draft Action Plan after reviewing and incorporating responses to any comments received. Once the Cities annual allocation award has been received the action plan will be finalized and released in draft form for comment. After a minimum of thirty (30) days comment period it will again have a public hearing and be put before the Council for approval.

City Budgetary Impacts: None

Staff Recommended Action: No action required.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: NONE

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Brian Wood, Assistant City Manager

Subject: ARPA (American Rescue Plan Act) - Acquisition of the Lake Auburn Community Center Property

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Information: The City of Auburn was approached by the Lake Auburn Watershed Neighborhood Association to purchase the Lake Auburn Community Center. The purchasing of this parcel would be to ensure current and future generations have access to this public land, tree farm, trails, volleyball courts and other recreational activities. This partnership will also generate educational opportunities for youth, with specific emphasis on environmental sustainability.

The City of Auburn will partner with other organizations to ensure proper upkeep and maintenance of this 6.1.1-acre parcel. Current conservation easements will remain unchanged.

The purchase of this property is an allowable expenditure under ARPA's final rule – 2.22 - *Strong Healthy Communities: Neighborhood Features that Promote Health and Safety.*

City Budgetary Impacts: None.

Staff Recommended Action: Vote to allocate $100,000 of ARPA funds to purchase the Lake Auburn Community Center.

Previous Meetings and History:
Council Workshop – April 19, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: None

ORDER 55-05022022

City Council Order

IN CITY COUNCIL

ORDERED, that Auburn City Council allocate $100,000.00 of ARPA (American Rescue Plan Act) funds for the acquisition of the Lake Auburn Community Center property.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: May 2, 2022-First Reading Ordinance 14-05022022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: Updating Chapter 60, ARTICLE XII, DIVISION 4, Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in the Lake Auburn Watershed

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Information: The Planning Board reviewed this proposal and provided a positive (7-0) recommendation (attached) at the April 12, 2022, meeting. The staff report from that meeting is also attached. The Planning Board voted to add three conditions to address information and concerns raised in the public process and following recommendations from the Comprehensive Plan.

1. That development and water quality data be monitored in partnership with Auburn Water District openly with other stakeholders and take appropriate action if the monitoring process finds the water quality degraded because of development. *Staff is verifying the baseline data that was established in the latest watershed report from 2021 (FB Environmental) and establish tools for estimating load reduction or increases in the lake Auburn Watershed. In addition, to the BMP and Land Use tools, utilizing Auburn Water District water quality data on a yearly basis in a report generated by the Auburn Water District. City Staff plan to use EPA Region 5 model for best management practices modeling.*

2. Add a requirement to inspect the septic systems at the point of sale and continuously at five-year intervals also as suggested by the Planning Board. Staff needs to work on the details on this for how it will apply to existing systems but for new systems this could be a condition of approval. Towards this end, staff plans an internship for this summer to catalog and map all known existing systems and add any new systems as they are permitted. This could be the base information for outreach and collecting inspection and maintenance information in the future. *On the building permit application, we will have the applicant or staff check a box if the project is in the watershed. That will remind applicant that an inspection is required and special conditions to the septic design is required. The staff plans on a direct mailing to owners of the watershed for information regarding the update to the septic system requirements. This will include referencing specific requirements for septic system at time of land transfer. We would mirror the Septic System inspection requirement located in Shoreland Zone in Maine guidelines with some minor modifications. See attached.*

3.That the ordinance change approval "must coincide with the adoption of a zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan. To accomplish this, staff has scheduled a resolve for the May 2nd Meeting to forward a zoning and map change proposal to the Planning Board. Staff applauds the Planning Board edits as a positive improvement for the strengthening of watershed protections. *Staff will provide a data*

summary look at the watershed lot sizes and potential new lots relative to current standards. In addition, FB Environmental Associates (FBE) will perform consulting services related to Lake Auburn watershed modeling. To include building *a new model run through both the build-out and water quality models that simulates the potential impact from recent proposed ordinance changes by the City of Auburn. The proposed ordinance changes affect septic system siting, minimum lot size, and low impact development standards in the Auburn portion of the Lake Auburn watershed. The City of Auburn will provide FBE with the proposed ordinance revisions for review. FBE will draft a detailed description of how the proposed ordinance revisions will be incorporated into the new model run. FBE will perform the new model run and summarize the methodology and results in a brief memorandum to the City of Auburn for a future reading of the proposed changes.*

Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

(f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

(1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36-12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

(2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9-3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

(3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

(4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

(5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

(6) The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.

~~(4)~~(7) The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.

~~(5)Replacement or reconstruction of private residential sewage disposal systems in existence and in use on December 17, 1983 shall not be subject to the requirements of this section but shall be required to comply with the current state plumbing cod~~

City Budgetary Impacts: Up to $8,000 in approved consultant modeling and best management practices (BMP) training for city staff and local site evaluators.

Staff Recommended Action: Staff suggests council discuss the proposed changes, hold a public hearing, and vote Yes on the proposed ordinance change as recommended by the Planning Board on April 12, 2022. Staff recommends that the Council delay a second reading, updating Chapter 60, ARTICLE XII, DIVISION 4, Sec 60-952 (f) (1-5) to wait for and coincide with the adoption of a zoning change that reduces the housing density in all parts of Rural Residential (RR) zones in the watershed to one dwelling unit per three acres and to have updated modeling of the proposed changes from our consultant.

Previous Meetings and History: January 3rd Council Discussion Initiation, February 16th & March 2nd Community Conversations, April 12, Planning Board Workshop & Public Hearing, April 19, Council Workshop

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Slide Presentation, Planning Board Recommendation, David Rocque-White Paper, Ordinance-codification update text changes.

Council Workshop | April 19, 2022
Lake Auburn Watershed Ordinance Updates

Planning, Permitting & Code

auburnmaine.gov

Proposed Changes Highlights

- **Allow for disposal fields for limiting factor of 12”**
- **Require all systems new or replacement be required to follow new disposal field guidelines.**
- **Require systems to have curtain drain or diversion ditch.**
- **No disposal fields closer than 400 normal high-water mark.**
- **Disposal system needs to installed on the lot or outside the watershed.**
- **Require phosphorus control plan for structures over 200 SF**
- **Require 24” of suitable natural soil or fill material for a total of 36”.**

auburnmaine.gov

Planning Board Conditions of Approval

"First is that approval of this must coincide with the adoption of the zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan.

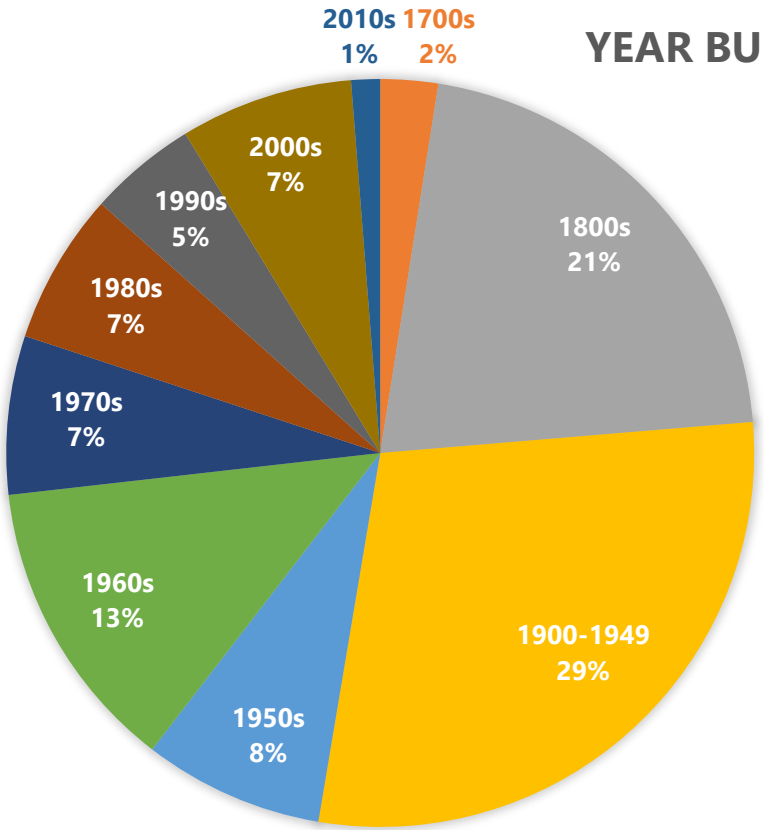
Second, that the city establishes a monitoring of the lake and the watershed with reports on a biannual basis based on a plan developed in collaboration with the Auburn Water District and other stakeholders. If it's discovered that degradation occurs through that monitoring program, that the city enacts a moratorium on the development until it can assess what needs to happen to stabilize conditions within the lake

And third, that we require inspection at the point of sale and on an ongoing five-year basis for all systems within the watershed."

Planning Board Approved 7-0 on April 12, 2022

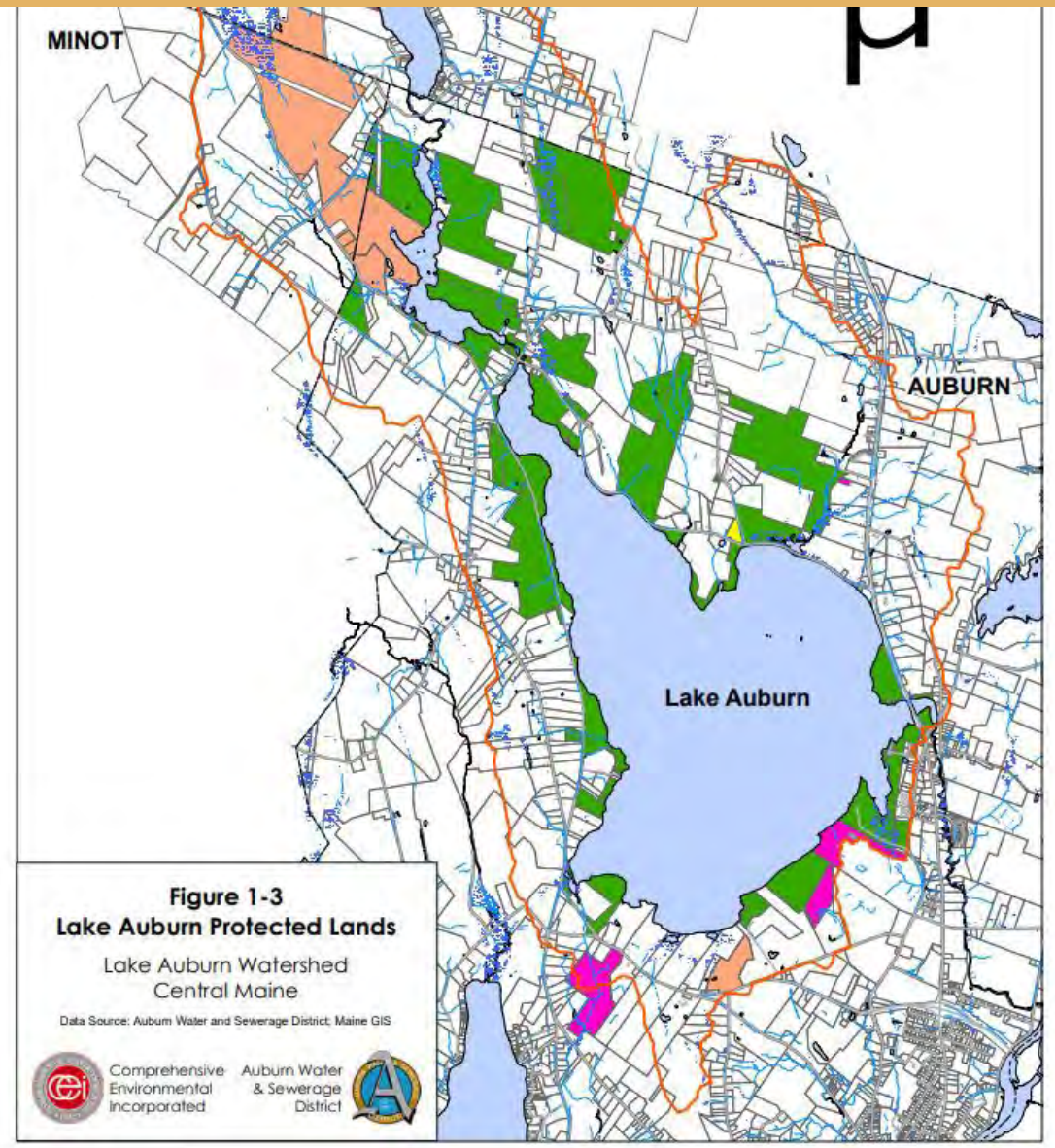
auburnmaine.gov

THE WATERSHED NUMBERS



YearBuilt	
1700s	8
1800s	68
1900-1949	93
1950s	25
1960s	41
1970s	22
1980s	21
1990s	15
2000s	24
2010s	4
Grand	321

275 systems are grandfathered to state subsurface wastewater standards for replacement systems out of a total of 321. (10-144 CMR 241), Maine Subsurface Wastewater Disposal Rules, Section 4, Design Criteria allows down to 9" (limiting factor) outside the shoreland zone.



TEAM APPROACH & ORDINANCE IDENTIFICATION

Stakeholders:

City of Auburn and city of Lewiston

(city-wide residents, mayor, council and staff)

Auburn & Lewiston water districts and consultants

Additional Considerations by: Comprehensive Plan/Community Conversations and City Council:

1.) Limit additional suitable natural soil or fill material to 12".

2.) Require a septic inspection at point of sale in the Auburn Watershed Overlay Area.

3.) Reduction of SF to require a phosphorus control plan from 575 to 200 Square Feet.

4.) Map amendment to include minimum lot size to 3 acres and 1 Dwelling Unit per 3 acres.

Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

(f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

(1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36 12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

(2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain more than ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table- 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9 3 of the state plumbing code, part II (April 25, 1975),~~ no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

(3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

(4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

(5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

Additional Phosphorus Ordinance Text Amendment Sec. 60-1066

(1) Any new building or structure with more than ~~575~~ 200 square feet of ground floor area.

Further Commits the City of Auburn to Watershed Protection and Water Quality.

auburnmaine.gov

Comprehensive Plan Recommendation

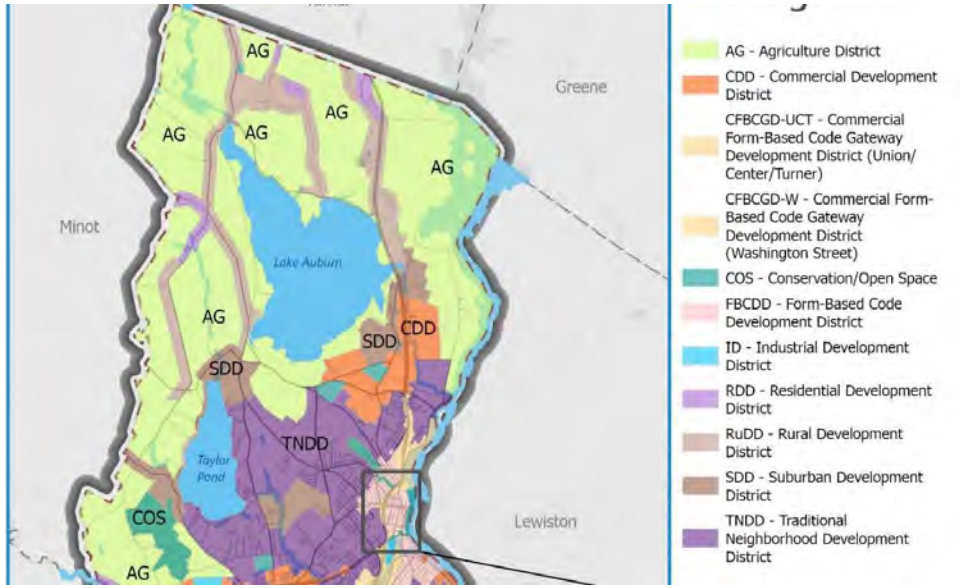
RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

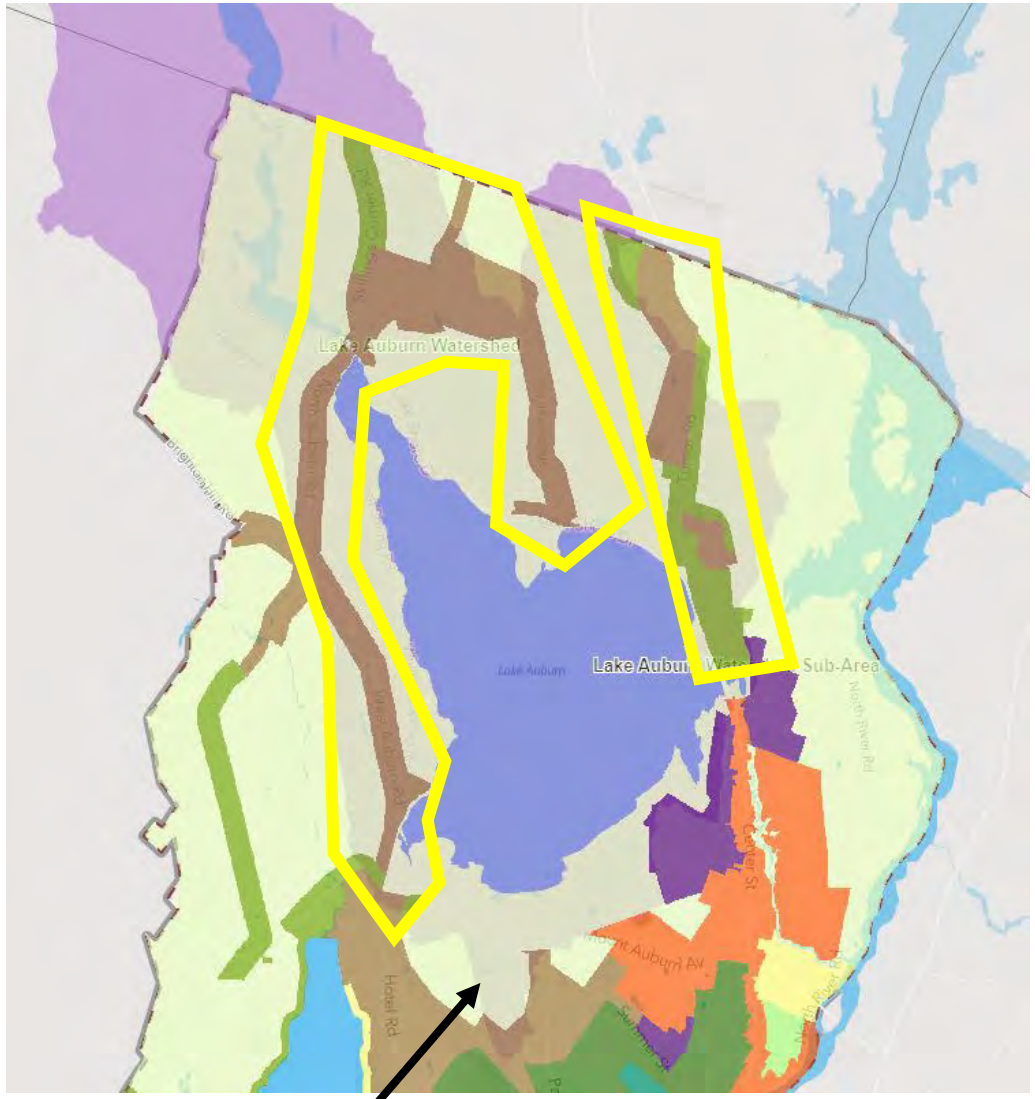
Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix IV). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.



1 Unit per 3 Acres (minimum lot size: 3 Acres)



Watershed Boundary

Proposed Map Amendment

auburnmaine.gov

FOLLOW-UP

Years 2, 4 & 6

How much development occurred?

How many existing sites did we correct?

Types of BMPs implemented

Quantify P, N & NO^2 trapped in the watershed

auburnmaine.gov

Next Steps

Community Conversations: February 16 & March 2 , 2022

Planning Board Workshop: April 12th, 2022

Planning Board Public Hearing: April 12, 2022

Council Workshop: April 19, 2022

Council Reading: May 2, 2022

Council Reading: May 26, 2022

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

On April 12, 2022 the City of Auburn Planning Board made the following recommendations:

Motion from Mathieu Duvall, Second from Riley Bergeron

"I move that we recommend that city council adopt this ordinance change with the following conditions:

First is that approval of this must coincide with the adoption of the zoning change that reduces the housing density in all parts of the watershed to one dwelling unit per three acres as recommended in the comprehensive plan.

Second, that the city establishes a monitoring of the lake and the watershed with reports on a biannual basis based on a plan developed in collaboration with the Auburn Water District and other stakeholders. If it's discovered that degradation occurs through that monitoring program, that the city enacts a moratorium on the development until it can assess what needs to happen to stabilize conditions within the lake

And third, that we require inspection at the point of sale and on an ongoing five-year basis for all systems within the watershed."

Approved 7-0.

LAKE AUBURN WATERSHED

SEPTIC SYSTEM ORDINANCE

By David Rocque

April 12, 2022

The current Lake Auburn Septic System ordinance requires a minimum depth to Limiting Factor (LF) of **36 inches**. Limiting Factors include hard pan, bedrock and seasonal high groundwater table. The ordinance also requires the disposal field to be installed **at least 12 inches below the bottom of the organic duff layer** (below the mineral soil surface**) in the lowest point of the ground where the disposal field is installed**. These two requirements are, in my professional opinion, actually counter productive in accomplishing the objective of the ordinance which is to provide greater protection of water quality in Lake Auburn. I will explain my reasoning in the following paragraphs:

Background:

In the early days of determining septic system suitability, the State of Maine relied on the **perc test**. The perc test was done by digging a hole in the ground and pouring water in the hole. The length of time it took for the water to disappear was the determining factor for suitability and how large a disposal field was needed. Getting rid of the water, below ground, was the main focus of septic system designs in those days. The faster the water disappeared, the better. The perc test was replaced by the process we use today referred to as **Site Evaluation.** The reason for this change was because the perc test worked fairly well if done in the spring or late fall, when groundwater tables were at their seasonal high levels, but didn't work very well when done in the dry summer months. A soil would "perc" nicely in August when the groundwater table was low but the septic system would fail in the spring when the groundwater table was high. Our present process of Site Evaluation bases a septic system design on observed soil properties such as soil texture, soil structure, soil consistency (hard pan) and evidence of the seasonal high groundwater table made by observing soil colors. By using site evaluation, we can tell how large a disposal field is needed, how deep into or above the ground it can be installed and how high the seasonal high groundwater table is even in the dry summer months.

As time progressed, scientists and regulators began to look not only at how fast the effluent would disappear below ground but also how well the effluent was treated or renovated before it reached the groundwater table, a waterbody or property line. We learned that the most effective treatment was accomplished by installing disposal fields either very shallow or, preferably, on or above the original ground surface. That is because the majority of the biologic activity in a soil is in the upper 6 inches and that is also where most plant roots (feeder roots) are found as well. Soil microbes and plant roots remove and utilize many of the constituents in waste water including nutrients and pathogens. Installing disposal fields deep into the ground, particularly coarse textured soil or soil that is shallow to bedrock can result in what I refer to as **"Short Circuiting"**. Short circuiting occurs when the effluent moves through the soil without being treated or only being minimally being treated.

Another component of wastewater treatment in a septic system disposal field is cation exchange where fine textured soil particles, silt, clay and fine organic particles, which are negatively charged, hold onto positively charged ions such as phosphorous until they can be utilized by microbes and plants. Cation exchange is negligible in very coarse textured soils such as sands and gravels.

A third component of wastewater treatment in a disposal field is in what we call a bio-mat. This bio-mat is a black gelatinous layer at the interface of the bottom of the disposal field and soil material below. It is comprised of particles that escape from the septic tank and the living and dead bodies of micro-organisms. This layer is sometimes called the "clogging Matt" because, if it becomes too thick, it can cause the septic system to hydraulically fail. If the bio-mat is absent, it removes one of the more important components of wastewater treatment. The reasons why a bio-mat may be absent are too little organic matter (BOD5 and TSS) coming from the septic tank, which is very rare, or a soil material that is very coarse textured or when the disposal field rests on fractured bedrock. Coarse textured soils and disposal fields resting on bedrock are extremely permeable and very oxygenated so organic particles are readily decomposed or pass through the soil and do not build up to create a bio-mat.

Lake Auburn Watershed Septic System Ordinance:

The Lake Auburn Septic System Ordinance requires at least 36 inches to the limiting factor, including seasonal high groundwater table. Very few soils in the State of Maine have 36 inches or more depth to the seasonal high groundwater table and most of those that do are very coarse textured sands and gravels. Sand and gravel soils in Maine were deposited by flowing water from rapidly melting glaciers. They were the river or stream bottom but became dry land after the glaciers melted and retreated, removing their water source. After the glaciers melted and/or retreated back north, the land remained bare for many years until vegetation moved its way up from areas not covered by the thick sheet of ice. In the hundreds of years it took for vegetation to become established, wind blew soil material around and some of it was deposited on the surface of the gravel. The depth of the fine textured topsoil material depends on location and length of time it was bare but is typically 6 inches to 12 inches thick.

As you can imagine, almost all of the biological activity in these soil types is in the finer textured topsoil layer. It is where there is water holding capacity as well as nutrients due to cation exchange capacity and organic matter for food. The sand and/or gravel below is a plant and microbe desert with no water or nutrients available for plants or microbes. When a septic system is installed below the topsoil layer of sands and gravels, very little treatment of the wastewater occurs which can result in a short circuit (depends on how coarse or fine the sand is). With the Lake Auburn Watershed District Septic System ordinance requiring the bottom of all disposal fields to be installed a minimum of 12 inches below the bottom of the organic duff layer the likelihood of a short circuit is high. In actuality, unless the site where the disposal field is to be installed is relatively level, much of the disposal field will be installed more than 12 inches below the top of the mineral soil. That is because the site evaluator must determine that the minimum depth to limiting factor of a disposal field site is present in the entire area. If the 36 - inch depth is found in the lowest point in a proposed disposal field area, more than 36 inches is likely to occur in higher parts of the disposal field area allowing for a deeper installation for those parts of the disposal field.

Because soils in Maine with at least 36 inches to limiting factor are not very common, it encourages people interested in building a home within the watershed boundary to sell easements to their suitable soil site. Clustering wastewater disposal systems in a relatively small area where very little wastewater treatment occurs is not going to achieve the intent of the ordinance, providing an additional layer of protection for the water in Lake Auburn. It would be much better to allow septic systems to be installed on finer textured soils, even if the seasonal groundwater table is shallower than 36 inches.

It may sound like allowing a reduction in depth to the seasonal groundwater table for new septic system installations would be a risk to water quality but it is not as much of a risk as it might seem. First, the bottom of a disposal field is required by State regulations to be 12 inches to 24 inches (for sands/gravels and from bedrock) above the seasonal high groundwater table. The shallower the groundwater table is, the greater the separation required. For soils with a groundwater table between 9 inches and 15 inches from the mineral surface, an 18-inch separation is required. For soils with a groundwater table less than 9 inches from the mineral soil surface, a 24 - Inch separation is required. Second, because of capillary action in fine soil pores, water can be drawn up as much as 18 inches above where standing water can be seen in a soil pit. The top of that saturated zone is what is identified by Site Evaluators when they determine the seasonal high groundwater table. That means the bottom of a disposal field, installed per state regulations, is more than the state minimum of 12 inches to 24 inches above the actual groundwater table. In coarse textured soils the capillary fringe is much less, usually less than a foot. In addition, the groundwater table in sands and gravels may be an aquifer that is always present though it may go up or down some depending on the season and rainfall amounts. That is why the State requires a minimum of 24 inches of separation from the bottom of the disposal field and seasonal high groundwater table in sandy or gravelly soils. In finer textured soils, the seasonal groundwater table is generally perched above a hardpan and disappears in the summer and winter months. They are never an aquifer. In addition, the groundwater table moves through them very slowly in the fine capillary pores. In sands and gravels, the groundwater moves very quickly on its way to a wetland, stream or pond. While it is always a good idea to protect the groundwater table from contamination, it is much more important in coarse textured soils. In fact, the main concern with a disposal field installed too close to the seasonal high groundwater table in a fine textured soil is not contamination of that groundwater table but the fact that effluent from the disposal field would have no place to go so it would back up in the home or surface at the toe of the disposal field fill extension posing a threat to human health. There is no short circuiting in fine textured soils unless the bottom of the disposal field is resting upon fractured bedrock.

In summary, for the most effective protection of Lake Auburn from septic systems, they should be directed to fine textured soils and any systems proposed for installation in sandy or gravelly soils should be installed on or within the finer textured topsoil layer.

ORDINANCE: 14-05022022

City Council Order

IN CITY COUNCIL

Amendment to the Code of Ordinances, Chapter 60, Article XII, Division 4, Sec 60-952 © and (f) (1-5).

Be it ordained, that the Auburn City Council amend the text in Chapter 60, Article XII, Division 4, Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems of the Auburn Code of Ordinance update to require that all projects subject to review under the provisions of this division shall submit designs in subsurface wastewater meeting the standards set forth in the design criteria as shown in the attached text below.

Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

(f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

(1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36—12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

(2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table- 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9 3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

(3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

•

(4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

•

(5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

(6) The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.
~~(4)~~(7) The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.
~~(5)Replacement or reconstruction of private residential sewage disposal systems in existence and in use on December 17, 1983 shall not be subject to the requirements of this section but shall be required to comply with the current state plumbing cod~~e.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Ordinance 15-05022022

Council Public Hearing or Meeting Date: May 2, 2022-First & Second Reading

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: Updating Chapter 60, ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) Phosphorous control for any new building or structure.

Information: The Planning Board reviewed this proposal and provided a positive (7-0) recommendation (attached) at the April 12, 2022, meeting. **Sec. 60-1066 -Applicability** (1) Any new building or structure with more than 200 square feet of ground floor area.

City Budgetary Impacts: None

Staff Recommended Action: Staff suggests council discuss the proposed changes, hold a public hearing, and vote Yes on the proposed ordinance change as recommended by the Planning Board on April 12, 2022. Staff recommends a second reading tonight, updating Chapter 60, ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) as a result of previous discussion and Council votes (7-0) at the March 7, 2022 meeting.

Previous Meetings and History: April 12, Planning Board Workshop & Public Hearing, April 19, Council Workshop

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Ordinance-codification update text changes.

ORDINANCE 15-05022022

City Council Ordinance

IN CITY COUNCIL

Be it ordained,

That the Auburn City Council amend ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) phosphorous control for any new building or structure. Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan for projects with buildings or structures more than 200 square feet as found in text below.

Sec. 60-1066 -Applicability (1) Any new building or structure with more than 200 square feet of ground floor area.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022 **Order:** 56-05022022

Author: Jill M. Eastman, Finance Director

Subject: Authorizing Issuance of General Obligation Bonds and A Tax Levy Therefor

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Information: This is the Annual Capital Improvement Projects for FY 22-23 that we are recommending for bonding. Please see attached sheet that describes the projects being funded.

City Budgetary Impacts: This is a 10 year bond, interest only for FY 23 and principal and interest payments for 10 years.

Staff Recommended Action: Hold Public hearing and approve the first reading.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
List of Projects to be funded.

CAPITAL IMPROVEMENT PLAN
FY 23 BONDS

Description			TOTAL
Econ Dev & Planning	Dangerous Building Demolition		$ 120,000
Econ Dev & Planning	Downtown Parking and Walkability-Grant Match		$ 148,000
Facilities	Public Safety Facilities Master Plan		$ 300,000
Facilities	Auburn Hall Lighting LED/Lighting Control conversion		$ 60,000
City Wide Vehicles	Police Vehicle Replacement		$ 165,000
Police	Mobile Printers & Fingerprint Readers		$ 50,000
Engineering	Reclamation		$ 1,800,000
Engineering	Reconstruction		$ 1,200,000
Engineering	Major Drainage		$ 500,000
Engineering	MDOT Match		$ 1,100,000
Engineering	Resurfacing		$ 600,000
Engineering	Sidewalks		$ 100,000
Public Works	Replace 12 yard plow trucks		$ 520,000
Public Works	Replace Street Sweeper		$ 265,000
Public Works	Portable Flagging Station w/Trailer		$ 50,000
Public Works	Replace Tractor (Haul)		$ 75,000
Administration	Contingency		$ 47,000
TOTAL BOND CIP			$ 7,100,000

ORDER 56-05022022

City Council Order

IN CITY COUNCIL

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

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds and notes in anticipation thereof, on either a taxable or a tax-exempt basis, in the principal amount not to exceed $7,100,000, the proceeds of which, including original issue premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds)(the "Projects"), all constituting part of the City's FY23 Capital Improvement Program:

CAPITAL IMPROVEMENT PLAN
FY 23 BONDS

Description		TOTAL
Econ Dev & Planning	Dangerous Building Demolition	$ 120,000
Econ Dev & Planning	Downtown Parking and Walkability-Grant Match	$ 148,000
Facilities	Public Safety Facilities Master Plan	$ 300,000
Facilities	Auburn Hall Lighting LED/Lighting Control conversion	$ 60,000
City Wide Vehicles	Police Vehicle Replacement	$ 165,000
Police	Mobile Printers & Fingerprint Readers	$ 50,000
Engineering	Reclamation	$ 1,800,000
Engineering	Reconstruction	$ 1,200,000
Engineering	Major Drainage	$ 500,000
Engineering	MDOT Match	$ 1,100,000
Engineering	Resurfacing	$ 600,000
Engineering	Sidewalks	$ 100,000
Public Works	Replace 12 yard plow trucks	$ 520,000
Public Works	Replace Street Sweeper	$ 265,000
Public Works	Portable Flagging Station w/Trailer	$ 50,000
Public Works	Replace Tractor (Haul)	$ 75,000
Administration	Contingency	$ 47,000
TOTAL BOND CIP		$ 7,100,000

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Order

THAT the Finance Director be and hereby is authorized and empowered, in the name of an on behalf of the City, to prepare, issue, and sell the bonds and notes authorized hereby, at one time, or from time to time, as one or more separate issues, and to determine the date, form, minimum denomination, interest rates (as term bonds or serial bonds or some combination thereof), maturities (with the last maturity not to exceed the maximum term permitted by law) and all other details, terms and provisions of such bonds and notes, not inconsistent herewith, including the form and manner of their sale and award as she may approve, such approval to be conclusively evidenced by the execution thereof.

THAT the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to provide that any of the bonds and notes authorized hereby may be made subject to call for redemption, with or without premium, prior to their stated dates of maturity, as provided in 30-A M.R.S.A. §5772(6), as amended.

THAT the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to designate the bond or notes authorized hereby, or a portion thereof, as qualified tax-exempt obligations under and as permitted by Section 265 of the Internal Revenue Code of 1986, as amended.

THAT the bonds and notes authorized hereby shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City.

THAT the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to prepare, negotiate, execute, and deliver such contracts, agreements, certificates, instruments and other documents as may be necessary or advisable, as determined and approved by the Finance Director, in connection with the issuance delivery of the bonds and notes authorized hereby, the investment of the proceeds thereof, and the financing of the Projects, including but not limited to a bond purchase agreement, a preliminary official statement and official statement, an escrow agreement, a continuing disclosure agreement, a tax compliance agreement and an investment agreement (the "Bond Documents"), which Bond Documents may be in such form and contain such terms, conditions and provisions including, without limitation, the waiving of the City's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, as may be approved by the Finance Director, such approval to be conclusively evidenced by the execution thereof.

THAT if the bonds or notes authorized hereby, or any part of them, are issued on a tax-exempt basis, the Finance Director be and hereby is authorized and directed, in the name of and on behalf of the City, to covenant and certify that no part of the proceeds of such bonds or notes shall be used directly or indirectly to acquire any securities or obligations or property, the acquisition or use of which would cause the bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended, and to further authorize and provide that the City will file any required reports and take any other action that may be necessary to insure that interest

City Council Order

on the bonds or notes will remain exempt from federal income taxation, and will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

THAT if the actual cost of any Project differs from the estimated cost, whether due to completion, delay or abandonment of such Project or for any other reason, the Finance Director is authorized, in the name of and on behalf of the City, in her discretion, to reallocate proceeds of the bonds or notes to any other listed Project, or to any other project or improvement that the City Council has approved or may in the future approve as part of the City's annual capital improvement plan.

THAT in order to finance temporarily the Projects described above, the Finance Director be and hereby is authorized to expend up to $7,100,000 either from available funds of the City or from the proceeds of bond anticipation notes which would be reimbursed or refinanced from bond proceeds.

THAT to the extent not payable from other funds, an amount sufficient for the payment of the annual payments of principal and interest on the bonds and notes authorized hereby shall be included in the tax levy each year until the debt represented by said bonds or notes is extinguished.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be and hereby are authorized and empowered, in the name of and on behalf of the City, to do or cause to be done all such acts and things as may be necessary or advisable to carry out the provisions of this order.

THAT if any of the officers or officials of the City who have signed or sealed the bonds or notes authorized hereby shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds or notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

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

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

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

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

ORDER 56-05022022

City Council Order

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before April 16, 2022, in the Sun Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

NOTE: Must be approved by roll call vote.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, May 16, 2022, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order reallocating $362,600 of unspent proceeds from various General Obligation Bonds to finance a portion of the City's FY 22 Capital Improvements. The order is available for inspection on the City's website: **auburnmaine.gov/pages/government/budget-fy23.**

The City Council expects to conduct the first reading at the May 2, 2022 meeting and the public hearing, second reading and final action at the meeting of May 16, 2022.

Members of the public may watch in the Community Room, across from Council Chambers. If you attend and wish to offer public comment during the meeting, you may do so by speaking at the podium that will be located in Council Chambers.

The City Council meeting will also be broadcast on Great Falls TV (cable channel 1302) and on the City of Auburn YouTube channel.

We will continue taking public comment in writing for those who are not comfortable attending a public meeting at this time, please send your remarks via email to: **comments@auburnmaine.gov**. Your comments will be included in the meeting minutes.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022 **Order:** 57-05022022

Author: Jill M. Eastman, Finance Director

Subject: Order - Reallocating Unspent Proceeds from the City's General Obligation Bonds

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Information: This is the order authorizing the reallocation of $362,600 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. (list attached)

City Budgetary Impacts: There are no budgetary impacts at this time.

Staff Recommended Action: Staff recommends passage of 1st reading.

Previous Meetings and History: Discussed at budget workshop in April 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
Bond Order - Reallocation
Public Hearing Notice

ORDER 57-05022022

City Council Order

IN CITY COUNCIL

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

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

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, $362,600 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

FY 23 CIP Unallocated Bond Proceeds

	Description	Unallocated Bond Proceeds
Airport	Hangar Door Repair	$ 75,000
City Clerk	Record Restoration	$ 50,000
Facilities	Knight House Repairs	$ 40,000
City Wide Vehicles	Recreation Department Truck	$ 45,000
Recreation	Side by Side	$ 15,000
Police	Patrol Rifle Replacement	$ 35,000
Public Works	Court Street Sidewalk (in front of Auburn Hall)	$ 70,000
Public Works	Infield Groomer	$ 32,600
Recreation	Trail Upgrade, Development, Signage and Connectiviy	
TOTAL UNALLOCATED CIP		$ 362,600

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

THAT the excess proceeds of the Bonds, in the amount of $362,600 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the projects listed above.

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

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before May 2, 2022, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on May 16, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Jill M. Eastman, Finance Director

Subject: Resolve Adopting the 2022-2023 Annual Appropriation and Revenue Resolve (Public Hearing and First Reading)

Information: In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve.

City Budgetary Impacts: With this FY 23 Proposed Budget the tax levy increase is 5.45%, which is below CPIU at 6.7% . At this time, the proposed mill rate increase is 5.13%.

Staff Recommended Action: Staff recommends acceptance of the first reading.

Previous Meetings and History: Preliminary budget presentation April 4, 2022 and final Manager's Budget presentation April 19, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
Resolve for the 2022-2023 Annual Appropriation and Revenue excluding School Department Artilcles (totals only)

RESOLVE: 03-05022022

City Council Resolve

IN CITY COUNCIL

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2022-2023, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2022 and ending June 30, 2023.

The estimated aggregate amount of non-property tax revenue is $57,113,731 with a municipal revenue budget of $20,546,516 and a School Department revenue budget of $36,567,215.

The aggregate appropriation for the City of Auburn is $106,764,706, with a municipal budget of $48,271,396 County budget of $2,761,220 and a School Department budget of $55,732,090 which received School Committee approval on April 27, 2022, and school budget approved at the May 16, 2022 Council Meeting pursuant to the School Budget Validation vote on June 7, 2022, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 19, 2022, by the City Manager, and notification was posted on the City of Auburn website on April 28, 2022 that a public hearing would be held on May 2, 2022 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2022-2023 beginning July 1, 2022 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2022-2023.

RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year beginning July 1, 2022, and ending June 30, 2023, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each tax payer on September 15, 2022 and the remaining fifty percent (50%) shall be due on March 15, 2023.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2022, and March 16, 2023 respectively shall bear interest at a rate of 4% per annum from and after such dates.

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

RESOLVE: 03-05022022

City Council Resolve

Personal property taxes shall be due and payable on or before September 15, 2022. Any personal property taxes remaining unpaid on September 16, 2022, shall bear an interest rate of 4% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Jill M. Eastman, Finance Director

Subject: Creation of Capital Reserve Funds for School Department

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Information: As discussed during the Budget Presentation, the School Department would like to create a Capital Reserve account for each of the following items: Edward Little High School Capital Reserve Fund and School Technology Equipment Reserve Fund and fund these accounts through unallocated Fund Balance funds in the amount of $125,000 each. Formal action recommended by Attorney.

City Budgetary Impacts: None

Staff Recommended Action: Approve Request

Previous Meetings and History: Discussed during budget presentation in April 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER: 58-05022022

City Council Order

IN CITY COUNCIL

Ordered that the Auburn City Council hereby authorizes the Auburn School Committee to establish and Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward Little High School and adjacent athletic facilities.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Author: Jill M. Eastman, Finance Director

Subject: Creation of Capital Reserve Funds for School Department

Information: As discussed during the Budget Presentation, the School Department would like to create a Capital Reserve account for each of the following items: Edward Little High School Capital Reserve Fund and School Technology Equipment Reserve Fund and fund these accounts through unallocated Fund Balance funds in the amount of $125,000 each. Formal action recommended by Attorney.

City Budgetary Impacts: None

Staff Recommended Action: Approve Request

Previous Meetings and History: Discussed during budget presentation in April 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER: 59-05022022

City Council Order

IN CITY COUNCIL

Ordered that the Auburn City Council hereby authorizes the Auburn School Committee to establish and School Technology Equipment Reserve Fund for the purpose of funding purchase and maintenance of computers, tablets, audiovisual equipment and related technology for the School Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: May 2, 2022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: Map Amendment Lake Auburn Watershed

Information: **Lake Auburn Watershed Zone Change** with the adoption of a zoning change that reduces the housing density in all parts of the Lake Auburn Watershed to one dwelling unit per three acres as recommended in the 2021 comprehensive plan. Considered changes include changing three separate areas of Rural Residential (RR) to Low Country Density Residential (LCDR) for a total of 1038 +/- acres.

City Budgetary Impacts: None

Staff Recommended Action: That the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following map amendment.

Previous Meetings and History: April 12, Planning Board Workshop & Public Hearing, April 19, Council Workshop

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order, Slide

ORDER: 60-05022022

City Council Order

IN CITY COUNCIL

ORDERED, That the City Council direct staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council on the following map amendment:

A. **Lake Auburn Watershed Zone Change** with the adoption of a zoning change that reduces the housing density in all parts of the Lake Auburn Watershed to one dwelling unit per three acres as recommended in the 2021 comprehensive plan. Considered changes include changing three separate areas of Rural Residential (RR) to Low Country Density Residential (LCDR) for a total of 1038 +/- acres.

Richard Whiting, Ward One
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Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Comprehensive Plan Recommendation

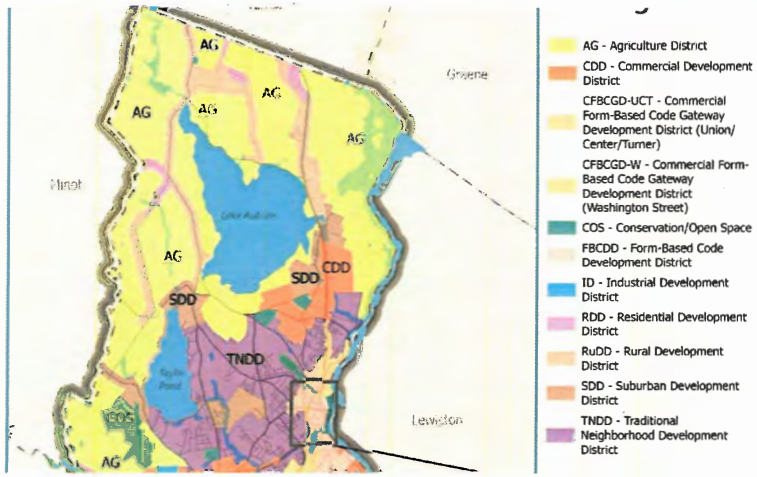
RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

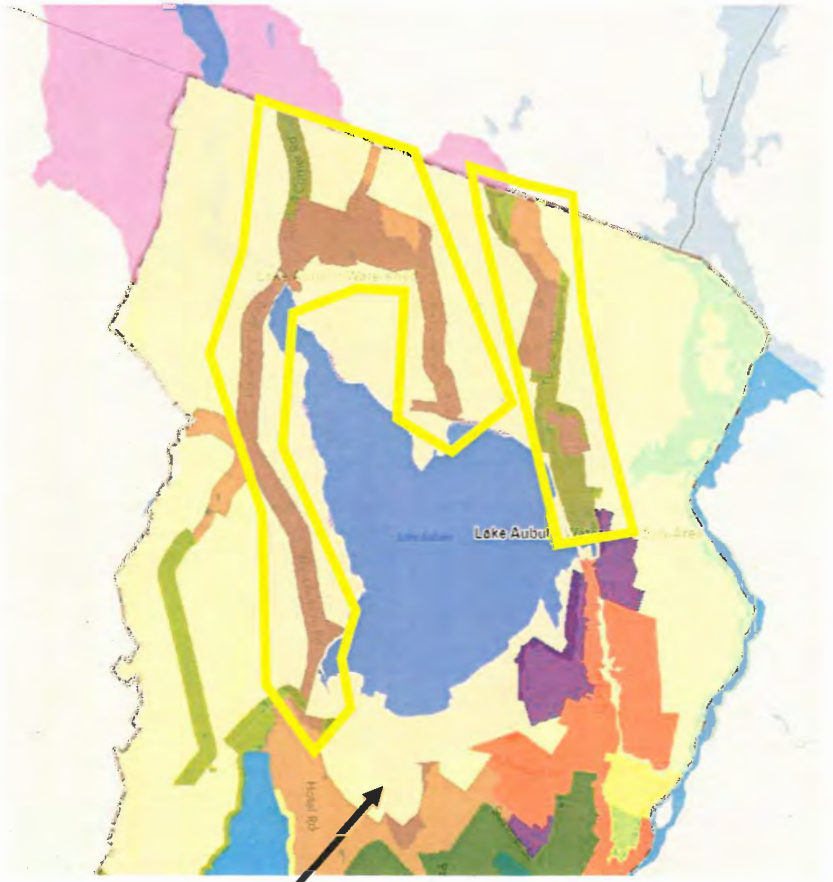
Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix IV). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.



1 Unit per 3 Acres (minimum lot size: 3 Acres)



Watershed Boundary

Proposed Map Amendment

auburnmaine.gov

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 2, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
Monday, May 16, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Fire Department Budget Discussion – Chief Robert Chase
- **B.** City of Auburn FY23 Budget Discussion – City Manager Crowell
- **C.** Executive Session – Economic development, pursuant to 1 M.R.S.A. Sec. 405 (6)(C)
- **D.** Executive Session – Economic development, pursuant to 1 M.R.S.A. Sec. 405 (6)(C)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Walker

Pledge of Allegiance

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

1. Order 61-05162022*
Authorizing the City Clerk to waive the $200 business license fee for Auburn Suburban Baseball and Softball.

2. Order 62-05162022*
Confirming Chief Moen's appointment of Sergio Martins as a Constable with firearm for the Auburn Police Department.

1. Order 63-05162022*
Setting the date to hold the School Budget Validation Referendum Election for June 14, 2022.

II. Minutes

- May 2, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Proclamation – Maine Arbor Week

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

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 15-05022022
Amending Auburn's Code of Ordinances, Chapter 60, Sec. 60-1066 (1). Second reading.

2. Order 56-05022022
Authorizing the City's general obligation bonds in the amount of $7,300,00.00 to finance the City's FY23 Capital Improvement Program. Second reading.
Passage requires an affirmative vote of 5 Councilors.

3. Order 57-05022022
Authorizing the reallocation of $395,100 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. Public hearing and second reading.
Passage requires an affirmative vote of 5 Councilors.

4. Resolve 03-05022022
Adopting the Appropriations Resolve for Fiscal Year 2023. Second reading.
Passage requires an affirmative vote of 4 Councilors.

VI. New Business

1. Order 64-05162022
Adopting the FY 2023 Auburn School Budget.

2. Order 65-05162022
Directing the City Manager to issue a design/build footbridge from Newbury Street to Anniversary Park.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – April 2022 Final Monthly Report

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

X. **Adjournment**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022

Author: Fire Chief, Robert Chase

Subject: Fire Department Budget Discussion

Information:

The current Fire Department staffing model consists of a four platoon system with 16 FF/EMTs assigned to each platoon. In order to have the current compliment of appartus staffed and available to respond a minimum of 14 FF/EMTs are required daily.

This effectively means that on any day, if more then 2 employees are absent, for any reason, including use of earned time, sick time, training, vacancies, funerals etc. the department will incur overtime costs.

The contract allows for up to 2 FF/EMTs to be on vacation at any given time. We also have 6 employees that will be absent from shifts as they will be enrolled in Paramedic school.

The dynamic workforce environment is leading to employee turnover and difficulty hiring employees. This results in longer vacancies which also puts additional strain on existing employees and result in increased overtime costs. Over the past year, our vacancies and increase sick time caused by COVID, put undue stress on the workforce and resulted in significant forced overtime and many occurrences of employees being forced to work 48 hours straight.

Ever increasing call volumes have put additional strain on the current staff, and have made it difficult to conduct on duty training, committee meetings or to support community events, and fire prevention activities. We have had to reduce most of these activities, but any that are essential are often conducted on overtime.

The addition of 1 additional firefighter/EMT per platoon (4 Employees total) would mean that even during the summer vacation season, the department would still not incur OT if another employee were absent for any of the other reasons discussed above.

The additional position would also give us operational flexibility to rotate employees around the department so that everyone could participate in on duty department trainings and activities.

Within the fire department budget, the wage for the 4 employees is offset by the resulting decrease in overtime expenses.

An increase of $68,000 to benefits lines for health insurance and other fringe benefits would be required.

City Budgetary Impacts: $68,000 for benefit budget line items

Staff Recommended Action: Approve the addition of four firefighters

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

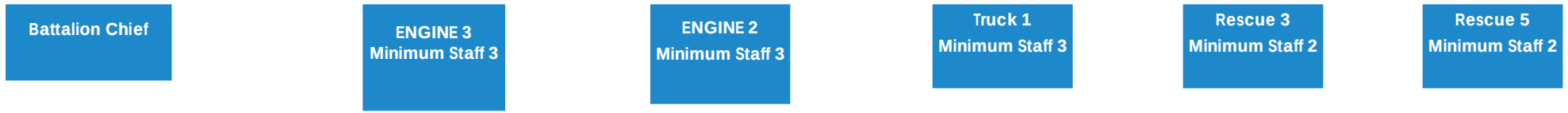
Attachments:

Goal

- To reduce overtime costs and increase organizational stability through the addition of one Firefighter/Paramedic per Platoon (four total)

Daily Staffing Structure

Minimum required staffing of 14 response personnel daily



Currently have 16 employees per Platoon

Two employees may use vacation time simultaneously

- This leaves us at minimum staffing levels (14) for more than 2/3 of the year
- During these periods, all sick time, training needs, injuries, etc. must be covered with OT

Impacts of Current Staffing Levels

There is no reserve capacity:

- System became very strained due to COVID illness and quarantines
- At times, staffing a third ambulance to meet call volume demands
- Vacancies or injuries almost always result in OT
- Significant OT is leading to high levels of staff stress and burnout
- High OT levels have caused unprecedented levels of forced OT
- Staff frequently unable to use earned time such as wellness days or floating holidays
- Comp-time as a tool to reduce OT is ineffective as employees have little opportunity to use it

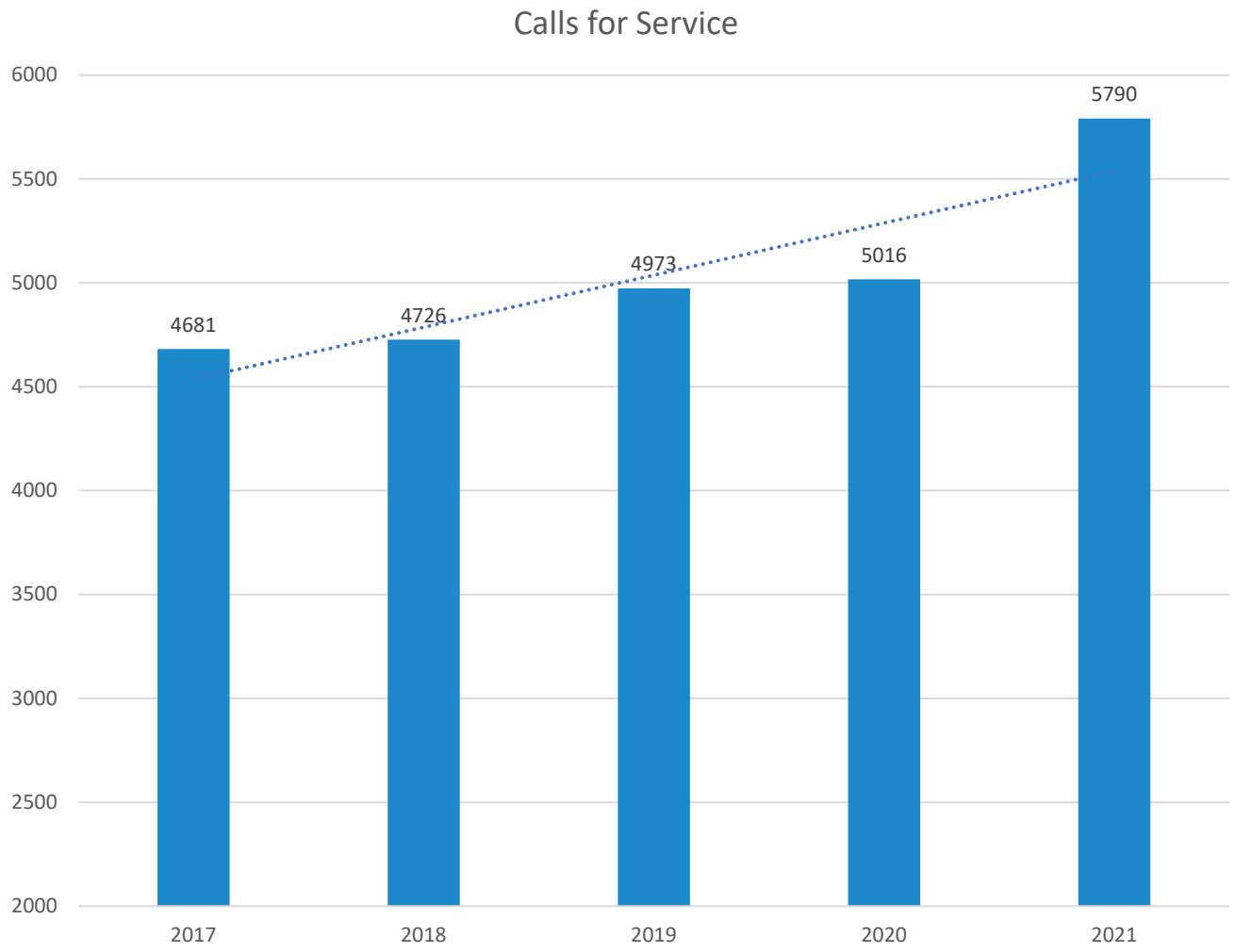
- Minimum staffing levels prohibit EMS crews from participating in on-duty training opportunities

- Virtually all Paramedic training results in OT

- Additional duties such as event coverage at City Sponsored events result in OT

CALLS FOR SERVICE

- 23% increase in calls for service since 2017
- Historically, 80% of calls are Rescue/EMS
  - 82% in 2021 (COVID)



Budget Impacts

Account Title	FY 2022 Budget	FY 2022 Projected	FY23 proposed (add 4 Positions)	Savings
Fire & EMS Transport				
Regular Salaries	4,024,707	3,869,704	4,271,987	402,283
Holiday Pay	192,652	192,652	197,633	4,981
Uniform Allowance	39,555	39,555	41,500	1,945
Physicals	2000	8000	6000	(2,000)
OT - Vac Replacement	88000	88,000	12,000	(76,000)
OT - Sick Replace LT	50000	65,000	50,000	(15,000)
OT - Sick Replace ST	134000	240,000	150,000	(90,000)
OT - Mandatory Training	25,000	17,500	25,000	7,500
OT - Extra Assignments	30,100	98,000	30,100	(67,900)
OT - Vacancies/Retirement	22,932	190,000	23,000	(167,000)
OT - Work Related Injuries	15,750	24,000	20,000	(4,000)
OT - Meetings	9,700	4,000	7,000	3,000
OT - Funeral Leave	5,000	5,000	5,000	0
OT - Multiple Alarms	9,000	7,800	9,000	1,200
Total		4,849,211	4,848,220	(991)

- Cost of four positions to FD budget is offset by OT Savings

- Addition of $68,000 required to benefits/health insurance budget lines for four positions

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022

Author: Phil Crowell, City Manager

Subject: FY 2023 City Budget Discussion

Information: The workshop is intended to review the amendments made at the first reading. Please review the budget documents in the council packet or the city website for further details.

City Budgetary Impacts: TBD

Staff Recommended Action: Discussion

Previous Meetings and History: Passage of first reading on 5/2/2022 with amendments. Second reading scheduled for tonight.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 61-05162022

Author: Alison F. Pepin, Deputy City Clerk

Subject: Waiver of Business License Fee – Auburn Suburban Baseball/Softball

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Information: An application for a waiver of business license fee of $200 was submitted by the Auburn Suburban Baseball/Softball, located at 4 Mount Apatite Road.

City Budgetary Impacts: $200

Staff Recommended Action: Consider waiving the fee

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Application
- Request to waive fees
- Order

CITY OF AUBURN

BUSINESS LICENSE APPLICATION

Business Name:

Office of the City Clerk
60 Court St, Auburn,
ME 04210
207.333.6600
www.auburnmaine.gov

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

☐ NEW ☒ RENEWAL Expires: _____

Please check the boxes for all licenses you are applying for:

There is a late fee of $50.00 for renewals that are 30-45 days late, $100.00 for more than 46 days late, and $200.00 for reoccurring

Food Service Establishments:

☐ ***FSE Mobile Food distribution Unit** (12 mths) ...$100
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.

☐ ***FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I)** $500

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***FSE Serving Malt and/or Vinous (FSE Class III & IV)**..... $400

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***Class A Lounge Serving Malt, Vinous & Spirituous Liquor (Class X)** $1000
(Plus, actual cost of advertising hearing)

Public hearing required for new license - $100 fee.
Background check must also be included.

☒ ***FSE with Sit Down (On/Off), no Alcohol**.....$200
Includes Prepackaged Foods

☐ ***Bottle Club/BYOB**..... $200

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***Temp FSE** (Per event max 30 days).....$60

***All above licenses**: include copy of floor plan, menu/ draft menu, certified food handler certificate and a copy of all State licenses applicable.

☐ **FSE Off Premise/Retailer-Malt Liquor/Table Wine**..... $200

Other Business Licenses Applying for:

☐ ***Special Amusement** $125
Public hearing required for new license- $100 fee
Please fill out supplemental questionnaire (pg. 4).

☐ ***Pawnshop/Pawn Broker** $100

☐ ***Secondhand Dealer**..... $100

☐ ***Massage Establishment/Therapist**..... $150
State license #: _____

Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

☐ ***Tattoo Artist**..... $100

***Above licenses**: *Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application.* **You can do it yourself on-line here: http://www5.informe.org/online/pcr/**

☐ **Bowling Alley (fee per lane)** .....
$85
Of lanes: _____

☐ **Roller Skating Rinks with Part/Full Kitchen...**$90

☐ **Lodging House, Boarding House, Rooming Houses, Hotels, Motels, etc.....**$100 annually

Seating:_____ **Occupancy load:**_____

LICENSING FEE(S) TOTAL DUE: $ _____

NAME OF BUSINESS: AUBURN SUBURBAN BASEBALL & SOFTBALL BUSINESS ADDRESS: 4 MOUNT APATITE RD. AUBURN ME

BUSINESS MAILING ADDRESS: P.O. BOX 1615 AUBURN ME 04211-1615

OWNER'S NAME (LOCAL/ONSITE): AUBURN SUBURBAN DOB: _____ PHONE: _____

OWNER'S ADDRESS: _____ MAILING ADDRESS: _____

PREFERRED EMAIL: _____

MANAGER'S NAME: _____ PHONE #: _____ DOB: _____

PREFERRED CONTACT NAME: FRITZ KUNAS PHONE #: 207 577 5853

EMAIL ADDRESS: FMKUNAS@HOTMAIL.COM

DESCRIPTION OF BUSINESS: 501 C3 NON PROFIT YOUTH SPORTS ORGANIZATION SUPPORTING FAMILIES IN AUBURN, ME. SNACK SHACK OFFERS FOOD & BEV TO FAMILIES & PLAYERS DURING GAMES

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): _____

FORM OF BUSINESS ORGANIZATION: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ LLC ☒ Other

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	*Print Clearly* Address Previous 5 years	Birth Date	% of Stock	Title

OWNER OF BUILDING/UNIT: _____ PHONE # _____

OWNER'S ADDRESS: _____

HOURS OF OPERATION: Mon: 5-8 PM Tues: 5-8 PM Wed: 5-8 PM Thurs: 5-8 PM

Fri: _____ Sat: 9-4 PM Sun: _____

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? ☐ Yes ☒ No (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.*

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

****READ CAREFULLY BEFORE SIGNING****

I, FREDERICK M KUNAS, Owner/Operator of the business, hereby authorize the release of any
(Print name)
criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: _____ **Date:** 4.22.22

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

__Approved	_	Denied	FIRE INSPECTOR _____
__Approved	_	Denied	CODE ENFORCEMENT OFFICER __
__Approved	_	Denied	POLICE _____
__Approved	_	Denied	FINANCE _____

Comments:

_____

_____

Application date: 4-22-22 License issued on: _____

Fees paid: License fee(s)_____Public hearing fee_____Background fee_____Late fee_____

Total amount paid = $_____

April 22, 2022

City of Auburn
60 Court St.
Auburn, ME 04210

Honorable Mayor & City Council Members:

On behalf of Auburn Suburban Baseball & Softball (ASBS), I respectfully request a waiver of the $200.00 licensing fee for operation of our concession stand (snack shack) during the 2022 season (May 2, 2022 - July 24, 2022).

ASBS is a non-profit organization serving over 400 youth through competitive baseball & softball teams. Funds raised by the snack shack, staffed by volunteers, are vital to the success of our organization. Funds raised throughout the season support facility maintenance, new equipment, program expansion (Buddy Ball), uniform purchase and items/services to ensure the safety of our families and players.

I invite you to join us for a game this season, appreciate your support of ASBS and hope you will consider waiving our licensing fee this season.

Sincerely,

Fritz Kunas
ASBS President
207-577-5853

ORDER 61-05162022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Clerk to waive the $200 business license fee for Auburn Suburban Baseball/Softball, located at 4 Mount Apatite Road.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 62-05162022

Author: Jason D. Moen, Chief of Police

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

Information: The Auburn Police Department requests that the City Council confirm the appointment Sergio Martins as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Sergio Martins as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
N/A

ORDER 62-05162022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the appointment of Sergio Martins as Constable with firearm/arrest powers for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 62-05162022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the appointment of Sergio Martins as Constable with firearm/arrest powers for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 63-05162022

Author: Sue Clements-Dallaire, City Clerk

Subject: Scheduling the School Budget Validation Referendum Election to be held on June 14, 2022

Information:
Title M.R.S.A. 20-A, Section 2307 requires Municipalities to conduct a School Budget Validation Referendum Election each year.

The date is consistent with previous years, and there is a cost savings when holding this election at the same time as a State election which is normally the second Tuesday in June. It also results in better voter turnout.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage of this order.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order

ORDER 63-05162022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby sets the date to hold the School Budget Validation Referendum Election for Tuesday, June 14, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING MAY 2, 2022, VOL. 36 PAGE 253

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

Pledge of Allegiance

I. Consent Items - None

II. Minutes - April 19, 2022 Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

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

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

IV. Open Session

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

Andy Titus, Rubellite Lane commented on Lake Grove Park.

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

V. Unfinished Business - None

VI. New Business

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

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

2. Order 55-05022022

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

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

Public comment – No one from the public spoke.

Passage 7-0.

3. **Ordinance 14-05022022**
Amending Auburn's Code of Ordinances, Chapter 60-952(c) and (f) (1-5) for agricultural buffer trip and subsurface wastewater systems in the Lake Auburn Watershed. **Public hearing and first reading.**

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

Public hearing:

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

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

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

Passage 7-0.

4. **Ordinance 15-05022022**
Amending Auburn's Code of Ordinances, Chapter 60, Sec. 60-1066 (1). Public hearing and first reading.

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

Public hearing:

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

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

5. **Order 56-05022022**
Authorizing the City's general obligation bonds in the amount of $7,100,00.00 to finance the City's FY23 Capital Improvement Program. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

Passage 7-0.

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

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

6. **Order 57-05022022**
Authorizing the reallocation of $362,600 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. First reading.

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

Public comment – No one from the public spoke.

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

Passage 7-0.

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

Passage 6-1 (Councilor Whiting opposed).

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

7. **Resolve 03-05022022**
Adopting the Appropriations Resolve for Fiscal Year 2023. Public hearing and first reading.

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

Public hearing:

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

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

Passage 7-0.

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

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

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

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

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

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

Passage 7-0.

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

8. **Order 58-05022022**
Authorizing the School Committee be authorized to establish an Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward Little High School and adjacent athletic fields.

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

Public comment – No one from the public spoke.

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

Passage 7-0.

9. **Order 59-05022022**
The School Committee be authorized to establish a School Technology Equipment Reserve Fund for the purpose of funding purchase and maintenance of computers, tablets, audiovisual equipment and related technology for the School Department.

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

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

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

Passage 7-0.

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

10. Order 60-05022022
Authorizing City Staff to draft amendments consistent with the adopted Comprehensive Plan for consideration by the Planning Board and direct the Planning Board to review proposed amendments, hold Public Hearings on each and forward a recommendation back to the City Council.

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

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

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

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

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

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

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

VIII. Reports (from sub-committees to Council)

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

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

IX. Executive Sessions - None

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

A TRUE COPY

ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

PROCLAMATION
MAINE ARBOR WEEK

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and this holiday called Arbor Day was first observed with the planting of a million trees in Nebraska; and

WHEREAS, May 16th to May 20th, 2022 is Maine Arbor Week; and

WHEREAS, trees can reduce the erosion of our precious topsoil, cut heating and cooling cost, moderate the temperature, clean the air, provide life-giving oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE I, Jason Levesque, Mayor of the City of Auburn, by virtue of the authority vested in me, do hereby proclaim May 16th to May 20th, 2022 as the celebration of Maine Arbor Week in the City of Auburn, and I urge all citizens to celebrate Maine Arbor Week and support efforts to protect our trees and woodlands.

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Seal of the City of Auburn, Maine

to be fixed this 16th day of May 2022

_____

Jason Levesque, Mayor

MAYORAL PROCLAMATION

WHEREAS May 21, 2022 is the twelfth Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS Kids to Parks Day empowers kids and encourages families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes, hypertension and other diseases; and

WHEREAS Kids to Parks Day will broaden children's appreciation for nature and the outdoors;

WHEREAS and the City of Auburn has a beautiful and diverse selection of city parks to explore and enjoy;

NOW THEREFORE, I, Mayor Jason J. Levesque, do hereby proclaim May 21, 2022 to be "Kids to Parks Day" in the great City of Auburn, Maine. I urge residents of Auburn to make time on May 21 to take the children in their lives to a neighborhood, state or national park.

_____ _____

Mayor Jason J. Levesque Signed on this date

OFFICE OF THE MAYOR | CITY OF AUBURN, MAINE

PROCLAMATION | **KIWANIS 100TH ANNIVERSARY**

WHEREAS, Kiwanis is a global organization of volunteers dedicated to improving the world one child and one community at a time; and

WHEREAS, Kiwanis members dedicate more than 18 million service hours each year to strengthen communities and serve children, with nearly 600,000 adult and youth members in 80 countries and geographic areas; and

WHEREAS, the Kiwanis Club of Lewiston-Auburn was chartered on May 19 of 1922 and has been dedicated to serving our community for 100 years, supporting local kids and families with infant safety kits, scholarships, books, classroom supplies, and in countless other ways; and

WHEREAS, the service provided by the Kiwanis Club of Lewiston-Auburn, Maine will continue to have a positive impact on our community and citizens;

NOW THEREFORE, I Jason Levesque, Mayor of the City of Auburn, do hereby proclaim May 19, 2022, to be Kiwanis Club of Lewiston-Auburn Day. I invite and encourage all citizens of Auburn to acknowledge and celebrate the work of this inspirational group and their efforts to provide meaningful service to the children of our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn, Maine to be fixed this 16th day of May, 2022.

Mayor Jason Levesque

Superintendent
Cornelia Brown PhD
Assistant Superintendent
Sue Dorris, EdD
Business Manager
Mark Conrad, CAGS

Auburn School Department

"Empowering lifelong learners to succeed in an ever changing world"

http://www.auburnschl.edu

60 Court Street 4th Floor
Auburn, ME 04210
Fax: 207-333-6628
Phone: 207-784-6431

TO: Auburn City Council

FR: Cornelia Brown, Superintendent of Schools

DATE: May 9, 2022

RE: Utilization of Capital Reserve Funds

Title 30-A: Municipalities, Subpart 9, Fiscal Matters, Chapter 223, Municipal Finances, Subchapter 7, subsection 5801 allows a municipality to establish a reserve fund, consisting of one or more accounts, by appropriating money or authorizing the transfer of unencumbered surplus funds at the end of any fiscal year for the following purposes:

1. Capital Improvement Account: Financing the acquisition or reconstruction of a specific, or type of capital improvement.
2. Capital Equipment Account: Financing the acquisition of a specific item or type of capital equipment.

These funds must be authorized, and expended, by the legislative body. State statute also requires legislative approval for appropriations both in and out of the funds. These appropriations are considered a part of the annual budget process. As such, fund appropriations require the approval of both the School Committee and the City Council, as well as voter approval through the budget validation referendum. Any appropriations into the funds must cite the source of the appropriation (such as unexpended year-end balances), and any appropriations out of the funds must cite the purpose for which the funds will be used (such as purchasing computer laptops for teachers, or a roof replacement for the High School). In this case, it would be the City Council. State statute requires that dollars appropriated into the funds can only be expended for the purposes outlined in the establishment of the funds. They cannot be used for other purposes.

I would like to thank the Council for establishing the two capital reserve funds requested by the Auburn School Committee – an Edward Little High School Capital Reserve Fund and a School Technology Equipment Capital Reserve Fund. These funds will reduce the need for, and subsequent cost of bonding future capital improvement projects, thereby saving money for our taxpayers. The capital reserve fund for Edward Little will also encourage the implementation of a sound capital maintenance program for the new High School to protect the community's investment in this wonderful facility.

Superintendent
Cornelia Brown PhD
Assistant Superintendent
Sue Dorris, EdD
Business Manager
Mark Conrad, CAGS

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Clearly any activities around these funds require a fully transparent process with statutory and legislative safeguards to assure the appropriate expenditure of reserve funds. I hope this addresses any concerns Council members may have in this regard. Thank you again for your support.

cc: Auburn School Committee

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Ordinance:** 15-05022022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: Updated CH. 60, Sec. 60-1066 (1) Phosporous control for any new building or structure

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Information: The Planning Board reviewed this proposal and provided a positive (7-0) recommendation (attached) at the April 12, 2022, meeting. Sec. 60-1066 - Applicability (1) Any new building or structure with more than 200 square feet of ground floor area.

City Budgetary Impacts: None

Staff Recommended Action: Staff suggests council discuss the proposed changes, hold a public hearing, and vote Yes on the proposed ordinance change as recommended by the Planning Board on April 12, 2022. Staff recommends a second reading tonight, updating Chapter 60, ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) as a result of previous discussion and Council votes (7-0) at the March 7, 2022 meeting.

Previous Meetings and History: April 12, Planning Board Workshop and Public hearing, April 19, Council workshop, passage of first reading on May 2, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDINANCE 15-05022022

City Council Ordinance

IN CITY COUNCIL

Amending ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) phosphorous control for any new building or structure.

Be it ordained, that the Auburn City Council amend ARTICLE XIII, DIVISION 2, Sec 60-1066 (1) phosphorous control for any new building or structure. Auburn Code of Ordinance to update to require that all projects subject to review under the provisions of this division shall submit a phosphorus control plan for projects with buildings or structures more than 200 square feet as found in text below.

Sec. 60-1066 -Applicability (1) Any new building or structure with more than ~~575~~ 200 square feet of ground floor area.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 56-05022022

Author: Jill M. Eastman, Finance Director

Subject: Authorizing Issuance of General Obligation Bonds and A Tax Levy Therefor

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Information: This is the Annual Capital Improvement Projects for FY 22-23 that we are recommending for bonding. Please see attached sheet that describes the projects being funded.

City Budgetary Impacts: This is a 10 year bond, interest only for FY 23 and principal and interest payments for 10 years.

Staff Recommended Action: Second and final reading.

Previous Meetings and History: First reading and public hearing held May 2, 2022. Amendments were made and have been incorporated into the Order

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Copy of the amended Order.

ORDER 56-05022022

City Council Order

IN CITY COUNCIL

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

Be It Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter and the requirements of 1 MRS §403-A, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds and notes in anticipation thereof on either a taxable or a tax-exempt basis in the amount of $7,100,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated to finance the following capital equipment and capital improvements (including costs of issuance for the bonds), all constituting part of the City's FY23 Capital Improvement Program:

CAPITAL IMPROVEMENT PLAN			
FY 23 BONDS			
	Description		TOTAL
Econ Dev & Planning	Dangerous Building Demolition		$ 120,000
Econ Dev & Planning	Downtown Parking and Walkability-Grant Match		$ 148,000
Facilities	Public Safety Facilities Master Plan		$ 300,000
Facilities	Auburn Hall Lighting LED/Lighting Control conversion		$ 60,000
City Wide Vehicles	Police Vehicle Replacement		$ 165,000
Police	Mobile Printers & Fingerprint Readers		$ 50,000
Engineering	Reclamation		$ 1,800,000
Engineering	Reconstruction		$ 1,200,000
Engineering	Major Drainage		$ 500,000
Engineering	MDOT Match		$ 1,100,000
Engineering	Resurfacing		$ 600,000
Engineering	Sidewalks		$ 100,000
Engineering	Enhanced Crosswalks		$ 200,000
Public Works	Replace 12 yard plow trucks		$ 520,000
Public Works	Replace Street Sweeper		$ 265,000
Public Works	Portable Flagging Station w/Trailer		$ 50,000
Public Works	Replace Tractor (Haul)		$ 75,000
Administration	Contingency		$ 47,000
TOTAL BOND CIP			$ 7,300,000

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 56-05022022

City Council Order

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

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to $7,100,000 either from available funds of the City or from the proceeds of bond anticipation notes which would be reimbursed or refinanced from bond proceeds.

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

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

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

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

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

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

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 56-05022022

City Council Order

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before April 16, 2022, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

First Reading Held May 2, 2022: Amendment made by Councilor Staples and Seconded by Councilor Gerry to add an additional $200,000 for Enhanced Crosswalks near the New Edward Little High School. **The addition would increase the Authorization for the Issuance of the General Obligation Bond from $7,100,000 to $7,300,000.**

NOTE: Must be approved by roll call vote.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order**: 57-05022022

Author: Jill M. Eastman, Finance Director

Subject: Order - Reallocating Unspent Proceeds from the City's General Obligation Bonds (Public Hearing and 2nd Reading)

Information: This is the order authorizing the reallocation of $395,100 from previous General Obligation Bonds that were unspent to fund a portion of the City's FY 22 - 23 CIP. As amended at 1st reading

---

City Budgetary Impacts: There are no budgetary impacts at this time.

Staff Recommended Action: Staff recommends passage of 2nd reading.

Previous Meetings and History: Discussed at budget workshop in April 2022. Passed in first reading on May 2, 2022 with amendments.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Bond Order - Reallocation

ORDER 57-05022022

City Council Order

IN CITY COUNCIL

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

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

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, $362,600 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the projects listed below;

FY 23 Unallocated

	Description		Unallocated Bond Proceeds
Airport	Hangar Door Repair		$ 75,000
City Clerk	Record Restoration		$ 50,000
Facilities	Knight House Repairs		$ 40,000
City Wide Vehicles	Recreation Department Truck		$ 45,000
Recreation	Side by Side		$ 15,000
Police	Patrol Rifle Replacement		$ 17,500
Public Works	Court Street Sidewalk (in front of Auburn Hall)		$ 70,000
Public Works	Infield Groomer		$ 32,600
Facilities	Gym Floor - Boys and Girls Club		$ 50,000
TOTAL UNALLOCATED CIP			$ 395,100

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

THAT the excess proceeds of the Bonds, in the amount of $362,600 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the projects listed above.

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

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before May 2, 2022, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 57-05022022

City Council Order

First Reading Held May 2, 2022: Amendment made by Councilor Walker and Seconded by Councilor Gerry to add the Gym Floor at the Boy's and Girl's Club for $50,000. Passed 7/0.

Amendment was made by Councilor Walker and Seconded by Councilor Staples to reduce Police Department rifle replacement by $17,500. Passed 6-1-0. (Whiting opposed)

Bond Order Increased from $362,500 to $395,100. First reading passed 7-0-0.

A public hearing was held on May 16, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Resolve:** 03-05022022

Author: Jill M. Eastman, Finance Director

Subject: Resolve Adopting the 2022-2023 Annual Appropriation and Revenue Resolve (Second and Final Reading)

Information: In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation has been incorporated into this annual appropriation resolve for the City of Auburn.

This is the second and final reading of the Appropriation Resolve for FY 22-23.

City Budgetary Impacts: With this FY 23 Proposed Budget with Council amendments the tax levy increase is 6.12%, which is below CPIU at 6.7% . At this time, the estimated proposed mil rate increase is 4.9%.

Staff Recommended Action: Staff recommends passage of the budget on the second reading.

Previous Meetings and History: Preliminary budget presentation April 4, 2022 and final Manager's Budget presentation April 19, 2022, first reading and public hearing May 2, 1922.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Resolve for the 2022-2023 Annual Appropriation and Revenue including School Department Articles with amendments made at the May 2, 2022 Council Meeting.

List of changes made to the budget after the May 2, 2022 Council Meeting.

Current updated summary sheet.

CITY OF AUBURN
FY 2023 EXPENDITURES
COMPARISON FY21, FY22 AND FY23 BUDGETS

	COUNCIL ADOPTED BUDGET FY 20-21	COUNCIL ADOPTED BUDGET FY 21-22	MANAGER PROPOSED BUDGET FY 22-23	COUNCIL ADOPTED BUDGET FY 22-23	$ Change	% Change
City Expenses						
Operating Expenses	30,769,645	31,876,303	34,728,193	34,928,260	3,051,957	9.57%
Debt Service/TIF	10,627,538	10,783,972	11,411,057	11,411,057	627,085	5.81%
Total City Expenses	41,397,183	42,660,275	46,139,250	46,339,317	3,679,042	8.62%
School Expenses						
Operating Expenses	45,120,245	46,227,214	48,961,689	48,961,689	2,734,475	5.92%
Debt Service	682,367	2,114,152	6,770,401	6,770,401	4,656,249	220.24%
Total School Expenses	45,802,612	48,341,366	55,732,090	55,732,090	7,390,724	15.29%
Intergovernmental						
Intergovernmental	1,905,442	1,833,479	2,153,024	2,144,524	311,045	16.96%
County Tax	2,629,938	2,611,080	2,761,220	2,761,220	150,140	5.75%
Total Intergovernmental	4,535,380	4,444,559	4,914,244	4,905,744	461,185	10.38%
Total Expenses	**91,735,175**	**95,446,200**	**106,785,584**	**106,977,151**	**11,530,951**	**12.08%**
Less: Non-Tax Revenues						
City	17,224,109	18,281,464	20,546,516	20,675,616	2,394,152	13.10%
School	27,905,351	30,298,286	36,567,215	36,567,215	6,268,929	20.69%
Intergovernmental	126,217	0	0	0	0	0.00%
Total Non-Tax Revenues	45,255,677	48,579,750	57,113,731	57,242,831	8,663,081	17.83%
Tax Levy						
City	24,174,074	24,378,811	25,592,734	25,663,701	1,284,890	5.27%
School	17,897,261	18,043,080	19,164,875	19,164,875	1,121,795	6.22%
Intergovernmental	4,409,163	4,444,559	4,914,244	4,905,744	461,185	10.38%
Overlay						
Total Tax Levy	**46,480,498**	**46,866,450**	**49,671,853**	**49,734,320**	**2,867,870**	**6.12%**
Total Assessed Value	1,956,632,371	1,973,954,411	1,973,954,411	1,989,954,441 *		
Tax Rate						
City	12.35	12.39	12.97	12.90	0.51	4.09%
School	9.15	9.17	9.71	9.63	0.46	5.02%
Intergovernmental	2.25	2.26	2.49	2.46	0.20	8.87%
Total	**23.75**	**23.83**	**25.16**	**24.99**	**1.17**	**4.90%**

*** Estimated Valuation**

CHANGES MADE TO BUDGET AFTER MAY 2, 2022 COUNCIL MEETING

Dept	Description	Amount
City Manager	Council increased Legal	$ 50,000
Public Works	Council increased for Street Trees	$ 25,000
Police Department	Council approved reorganization	$ 94,609
Fringe Benefits	Council approved reorganization PD	$ 30,998
LA911	Reduced to match Lewiston adopted	$ (7,500)
Airport	Reduced to match Lewiston adopted	$ (1,000)
	Net Increase to Appropriations	$ 192,107
Non-Tax Revenue	Increased to cover PD reorg	$ (129,100)
	Net Increase to tax levy	$ 63,007

RESOLVE 03-05022022

City Council Resolve

IN CITY COUNCIL

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2022-2023, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2022 and ending June 30, 2023.

The estimated aggregate amount of non-property tax revenue is $57,242,831 with a municipal revenue budget of $20,675,616 and a School Department revenue budget of $36,567,215.

The aggregate appropriation for the City of Auburn is $106,977,151, with a municipal budget of $48,483,841 County budget of $2,761,220 and a School Department budget of $55,732,090 which received School Committee approval on April 27, 2022, and school budget approved at the May 16, 2022 Council Meeting pursuant to the School Budget Validation vote on June 7, 2022, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 19, 2022, by the City Manager, and notification was posted on the City of Auburn website on April 28, 2022 that a public hearing would be held on May 2, 2022 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2022-2023 beginning July 1, 2022 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2022-2023.

SCHOOL BUDGET ARTICLES

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2022-2023

1. That $20,492,295 be authorized to be expended for Regular Instruction;

2. That $ 12,237,270 be authorized to be expended for Special Education;

3. That $-0- be authorized to be expended for Career and Technical Education;

4. That $ 893,936 be authorized to be expended for Other Instruction;

5. That $ 3,291,349 be authorized to be expended for Student and Staff Support;

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Resolve

6. That $ 1,217,269 be authorized to be expended for System Administration;

7. That $ 2,362,172 be authorized to be expended for School Administration;

8. That $ 1,824,534 be authorized to be expended for Transportation and Buses;

9. That $ 5,281,608 be authorized to be expended for Facilities Maintenance;

10. That $ 7,726,548 be authorized to be expended for Debt Service and Other Commitments;

11. That $ 40,953 be authorized to be expended for All Other Expenditures;

12. That $ 49,483,622 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that $14,867,518 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

Explanation: *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding*

Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That $894,187 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with Maine Revised Statues, Title 20-A, Section 15690 (2A);

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

14. That $3,195,978 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by $3,195,978, as required to fund the budget recommended by the School Committee.

The School Committee recommends $3,195,978, which exceeds the State's Essential Programs and Services allocation model by $3,195,978. The School Committee gives the following reasons for exceeding the State's Essential Programs and Services funding model:

City Council Resolve

The Essential Programs and Services funding model does not recognize all of the costs of special education services, transportation services, instructional services, co-curricular services and other services that the School Department provides.

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

15. That the school committee be authorized to expend $55,367,933 for the fiscal year beginning July 1, 2022 and ending June 30, 2023 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate $364,157 for Adult Education and raise $207,192 as the local share, with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

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

18. That in addition to amount approved in the preceding articles, the School Committee be authorized to transfer up to $125,000 from the School Departments unexpended balances at the end of the 2021-2022 fiscal year to the Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward Little High School and adjacent athletic facilities.

19. That in addition to amount approved in the preceding articles, the School Committee be authorized to transfer up to $125,000 from the School Departments unexpended balances at the end of the 2021-2022 fiscal year to the School Technology Equipment Reserve Fund for the purpose of funding purchase and maintenance of computers, tablets, audiovisual equipment, and related technology for the School Department.

RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year

City Council Resolve

beginning July 1, 2022, and ending June 30, 2023, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each taxpayer on September 15, 2022, and the remaining fifty percent (50%) shall be due on March 15, 2023.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2022, and March 16, 2023, respectively shall bear interest at a rate of 4% per annum from and after such dates.

Personal property taxes shall be due and payable on or before September 15, 2022. Any personal property taxes remaining unpaid on September 16, 2022, shall bear an interest rate of 4% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.

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Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

RESOLVE 03-05022022

City Council Resolve

IN CITY COUNCIL

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2022-2023, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2022 and ending June 30, 2023.

The estimated aggregate amount of non-property tax revenue is $57,242,831 with a municipal revenue budget of $20,675,616 and a School Department revenue budget of $36,567,215.

The aggregate appropriation for the City of Auburn is $106,977,151, with a municipal budget of $48,483,841 County budget of $2,761,220 and a School Department budget of $55,732,090 which received School Committee approval on April 27, 2022, and school budget approved at the May 16, 2022 Council Meeting pursuant to the School Budget Validation vote on June 14, 2022, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 19, 2022, by the City Manager, and notification was posted on the City of Auburn website on April 28, 2022 that a public hearing would be held on May 2, 2022 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2022-2023 beginning July 1, 2022 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2022-2023.

SCHOOL BUDGET ARTICLES

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2022-2023

1. That $20,492,295 be authorized to be expended for Regular Instruction;

2. That $ 12,237,270 be authorized to be expended for Special Education;

3. That $-0- be authorized to be expended for Career and Technical Education;

4. That $ 893,936 be authorized to be expended for Other Instruction;

5. That $ 3,291,349 be authorized to be expended for Student and Staff Support;

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Phillip L. Crowell, Jr., City Manager

City Council Resolve

6. That $ 1,217,269 be authorized to be expended for System Administration;

7. That $ 2,362,172 be authorized to be expended for School Administration;

8. That $ 1,824,534 be authorized to be expended for Transportation and Buses;

9. That $ 5,281,608 be authorized to be expended for Facilities Maintenance;

10. That $ 7,726,548 be authorized to be expended for Debt Service and Other Commitments;

11. That $ 40,953 be authorized to be expended for All Other Expenditures;

12. That $ 49,483,622 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that $14,867,518 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

Explanation: *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding*

Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That $894,187 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with Maine Revised Statues, Title 20-A, Section 15690 (2A);

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

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The School Committee recommends $3,195,978, which exceeds the State's Essential Programs and Services allocation model by $3,195,978. The School Committee gives the following reasons for exceeding the State's Essential Programs and Services funding model:

City Council Resolve

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15. That the school committee be authorized to expend $55,367,933 for the fiscal year beginning July 1, 2022 and ending June 30, 2023 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate $364,157 for Adult Education and raise $207,192 as the local share, with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

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RESOLVED, The City is authorized to accept grants and forfeitures and to expend sums that may be received from grants and forfeitures for municipal purposes during the fiscal year

City Council Resolve

beginning July 1, 2022, and ending June 30, 2023, provided that such grants and forfeitures do not require the expenditure of other funds not previously appropriated.

RESOLVED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each taxpayer on September 15, 2022, and the remaining fifty percent (50%) shall be due on March 15, 2023.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2022, and March 16, 2023, respectively shall bear interest at a rate of 4% per annum from and after such dates.

Personal property taxes shall be due and payable on or before September 15, 2022. Any personal property taxes remaining unpaid on September 16, 2022, shall bear an interest rate of 4% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.

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Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 64-05162022

Author: Mark Conrad, Business Manager

Subject: 2022-23 Auburn School Department budget

Information: On April 27, 2022, the Auburn School Committee unanimously voted to approve a 2022-23 operating budget of $55,732,090. The budget represents a 15.3% overall increase from the current year, with a local increase of 6.2% ($1,121,795). Bond payments (principal and interest) for the new Edward Little High School are resulting in an increase in debt service of $5,300,606, accounting for 71.8% of the total budget increase of $7,390,724.

The School Committee also voted unanimously on April 27, 2022 to establish two reserve funds – the Edward Little High School Capital Reserve Fund and the School Technology Equipment Reserve Fund – and to appropriate $125,000 into each Fund from unexpended year-end balances.

City Budgetary Impacts: The total local allocation requested for 2022-23 is $19,164,875. Based on current valuation, the mil rate for education for 2022-23 would be $9.81, an increase of $0.48, or an increase of $72.47 on a home valued at $150,000.

Staff Recommended Action: The School Committee and Superintendent recommend that the City Council approve the 2022-23 education budget as presented.

Previous Meetings and History: The School Committee has held many budget meetings and workshops to develop the proposed budget, beginning March 2nd. The School Committee encouraged public comment at each budget meeting. A joint meeting was held with City Council on April 19th to preview the 2022-23 budget.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Proposed 2022-23 education cost center budget
Auburn School Department 2022-23 Revenue Sources – School Committee Approved
Order School Budget 2022-23

Auburn School Department

FY 2023 Budget Process

Budget Analysis by Warrant Article (Approved by the Auburn School Committee on 4/27/2022)

Article	Purpose	FY 2022 Approved	FY 2023 Proposed	$ Change	% Change
1	Regular Instruction	$19,302,276	$20,492,295	$1,190,019	6.2%
2	Special Education	$11,902,281	$12,237,270	$334,989	2.8%
3	Career and Technical Education	$0	$0	$0	---
4	Other Instruction	$763,329	$893,936	$130,607	17.1%
5	Student and Staff Support	$3,383,983	$3,291,349	($92,634)	-2.7%
6	System Administration	$1,124,317	$1,217,269	$92,952	8.3%
7	School Administration	$2,293,039	$2,362,172	$69,133	3.0%
8	Transportation and Buses	$1,698,294	$1,824,534	$126,240	7.4%
9	Facilities Maintenance	$4,996,434	$5,281,608	$285,174	5.7%
10	Debt Service/Other Commitments	$2,425,942	$7,726,548	$5,300,606	218.5%
11	All Other Expenditures	$49,853	$40,953	($8,900)	-17.9%
	Total - Operating Budget	**$47,939,748**	**$55,367,933**	**$7,428,185**	**15.5%**
	Adult Education	$401,618	$364,157	($37,461)	-9.3%
	Total - All Articles	**$48,341,366**	**$55,732,090**	**$7,390,724**	**15.3%**

Excluding Debt Service & Adult Ed.	**$45,513,806**	**$47,641,385**	**$2,127,579**	**4.7%**

FY 2023 Budget Process

Auburn School Department

General Fund Revenue Budget (Approved by the Auburn School Committee on 4/27/2022)

Fiscal Year	2018-2019 Approved	2019-2020 Approved	2020-2021 Approved	2020-2021 Actual	2021-2022 Approved	2022-2023 Proposed	Variance	Percentage
State/EPS Model								
Subsidy	$23,678,756	$25,249,723	$25,637,180	$25,975,376	$26,785,909	$28,055,623	$1,269,714	4.7%
Debt Service-ELHS (Confirme	$0	$0	$0	$0	$1,554,035	$4,147,955	$2,593,920	166.9%
Debt Service-ELHS (Projected)		$0	$0	$0	$0	$2,087,902	$2,087,902	---
Debt Service-Park Ave	$624,158	$601,933	$579,894	$579,894	$560,117	$534,544	($25,573)	-4.6%
Total State	**$24,302,914**	**$25,851,656**	**$26,217,074**	**$26,555,270**	**$28,900,061**	**$34,826,024**	**$5,925,963**	20.5%
Local								
Minimum Local 15671-A	$ 16,781,933	$ 16,355,070	$16,272,338	$16,272,338	$16,031,338	$14,867,518	($1,163,820)	-7.3%
Local Only Debt Service	$44,905	$140,835	$102,473	$102,473	$311,789	$894,187	$582,398	186.8%
Additional Local	$980,019	$1,210,952	$1,322,309	$1,322,309	$1,486,251	$3,195,978	$1,709,727	115.0%
Total Local	**$ 17,806,857**	**$ 17,706,857**	**$17,697,120**	**$17,697,120**	**$17,829,378**	**$18,957,683**	**$1,128,305**	6.3%
Other								
State Agency Client	$30,000	$50,000	$50,000	$96,765	$30,000	$30,000	$0	0.0%
Spec. Ed. SOS Tuition	$60,000	$50,000	$50,000	$90,728	$0	$0	$0	---
MeCare Reimbursement	$120,000	$140,692	$140,000	$148,939	$100,000	$100,000	$0	0.0%
Franklin Tuition	$160,973	$165,026	$115,466	$58,249	$46,205	$50,000	$3,795	8.2%
Rental Properties (RETC)	$58,000	$58,000	$58,000	$58,000	$58,000	$58,000	$0	0.0%
Child Care	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$0	0.0%
CDS-Pre-K	$0	$0	$0	$2,114	$0	$0	$0	---
Gate Receipts	$0	$0	$32,000	$0	$26,700	$24,500	($2,200)	-8.2%
Miscellaneous	$10,000	$10,000	$30,000	$20,434	$20,000	$20,000	$0	0.0%
Total Other	**$488,973**	**$523,718**	**$525,466**	**$525,229**	**$330,905**	**$332,500**	**$1,595**	**0.48%**
Fund Balance	**$ 719,417**	**$ 873,025**	**$ 970,862**	**$ -**	**$879,404**	**$1,251,726**	**$ 372,322**	**42.34%**
Total General Operating	**$43,318,161**	**$44,955,256**	**$45,410,522**	**$44,777,619**	**$47,939,748**	**$55,367,933**	**$7,428,185**	**15.49%**
Adult Education								
State	$91,918	$94,206	$98,649	$95,639	$94,616	$94,555	($61)	-0.1%
Local	$190,404	$190,404	$200,141	$200,141	$213,702	$207,192	($6,510)	-3.0%
Other (Tuition)	$93,300	$93,300	$93,300	$8,289	$93,300	$62,410	($30,890)	-33.1%
Fund Balance	$0	$4,271	$0	$0	$0	$0	$0	---
Total Adult Education	**$375,622**	**$382,181**	**$392,090**	**$304,069**	**$401,618**	**$364,157**	**($37,461)**	**-9.33%**
Grand Total Revenue	**$43,693,783**	**$45,337,437**	**$45,802,612**	**$45,081,688**	**$48,341,366**	**$55,732,090**	**$2,538,754**	**5.54%**

Fiscal Year	2018-2019 Approved	2019-2020 Approved	2020-2021 Approved	2020-2021 Actual	2021-2022 Approved	2022-2023 Proposed	Variance	Percentage
Increase in Lcoal Share - Debt Service					$311,789	$894,187	$582,398	3.2%
Increase in Local Share - Operations (Including Adult Education)					$17,731,291	$18,270,688	$539,397	3.0%
					$18,043,080	**$19,164,875**	**$1,121,795**	**6.2%**
City Property Valuation					1,956,632,371	1,973,954,411		
Mil Rate For Education					9.33	9.81	0.48	5.18%
						Increase on $150K home		$72.47

ORDER 64-05162022

City Council Order

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2022-2023.

1. That $20,492,295 be authorized to be expended for Regular Instruction;

2. That $ 12,237,270 be authorized to be expended for Special Education;

3. That $-0- be authorized to be expended for Career and Technical Education;

4. That $ 893,936 be authorized to be expended for Other Instruction;

5. That $ 3,291,349 be authorized to be expended for Student and Staff Support;

6. That $ 1,217,269 be authorized to be expended for System Administration;

7. That $ 2,362,172 be authorized to be expended for School Administration;

8. That $ 1,824,534 be authorized to be expended for Transportation and Buses;

9. That $ 5,281,608 be authorized to be expended for Facilities Maintenance;

10. That $ 7,726,548 be authorized to be expended for Debt Service and Other Commitments;

11. That $ 40,953 be authorized to be expended for All Other Expenditures;

12. That $ 49,483,622 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that $14,867,518 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

Explanation: *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding*

Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

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City Council Order

Statues, Title 20-A, Section 15690 (2A);

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

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The School Committee recommends $3,195,978, which exceeds the State's Essential Programs and Services allocation model by $3,195,978. The School Committee gives the following reasons for exceeding the State's Essential Programs and Services funding model:

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15. That the school committee be authorized to expend $55,367,933 for the fiscal year beginning July 1, 2021 and ending June 30, 2022 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;

16. That the City of Auburn appropriate $364,157 for Adult Education and raise $207,192 as the local share, with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the adult education program.

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City Council Order

18. That in addition to amount approved in the preceding articles, the School Committee be authorized to transfer up to $125,000 from the School Departments unexpended balances at the end of the 2021-2022 fiscal year to the Edward Little High School Capital Reserve Fund for the purpose of funding capital improvement projects, facility upgrades, and plant maintenance at the new Edward Little High School and adjacent athletic facilities.

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Jason J. Levesque, Mayor

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Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16, 2022 **Order:** 65-05162022

Author: Phil Crowell, City Manager

Subject: Design/Build RFP for a footbridge

Information: Councilor Walker and Staples are requesting a Design/Build RFP for a footbridge which would be located on Newbury Street and expand the Little Androscoggin River to Anniversary Park.

See the attached memo sample photo from the councilors for additional details.

City Budgetary Impacts: The RFP would determine the cost to design and build the footbridge. The RFP would be brought before the city council for further consideration.

Staff Recommended Action: N/A

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

TO: **Phil Crowell, City Manager**

FROM: **Leroy Walker**

Dana Staples

DATE: **May 10, 2022**

RE: **Request to add a footbridge to the next council meeting agenda**

Good afternoon, Phil,

I am respectfully requesting that an RFP be put out for a footbridge that I would like to propose to be installed between Anniversary Park and the end of Newbury Street Park. This footbridge would enhance the walkability in the City of Auburn and would greatly improve that area of the city. This project would flow into the master plan for the City of Auburn and would be a valuable project to undertake.

I will distribute the specifics to the council at the meeting.

My motion will be that the council votes to move this forward.

Advantages:

- People will have a nice place to take a walk, out of the noise and fumes of the street
- People will enjoy the beautiful scenery
- This footbridge will connect Anniversary Park to Newbury Street Park, which will complete the connection to Bonney Park.
- This will encourage people to take walks, who normally don't go for walks because of having to walk along the street.

BRIDGE BROTHERS

e: sales@bridgebrothers.com
t: 866.258.3401
www.bridgebrothers.com

TURN KEY PREFABRICATED BRIDGES

ORDER 65-05162022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby directs the City Manager to issue a design/build footbridge from Newbury Street to Anniversary Park.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **April 2021 Financial Report**

DATE: **May 16, 2022**

The following is a discussion regarding the significant variances found in the City's April financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its tenth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 83.3% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through April 30, including the school department were $84,451,184, or 88.48%, of the budget. The municipal revenues including property taxes were $61,460,026, or 94.34% of the budget which is less than the same period last year by 0.10%, however, the dollar amount is $1,179,377 more than last year. The accounts listed below are noteworthy.

A. March 15th the second installment for real estate taxes were due. The current year tax revenue is at 97.14% as compared to 96.88% last year. Courtesy letters were sent out in April for those taxpayers that had not paid their taxes. The lien process will begin in May.

B. Excise tax for the month of April is at 84.7%. This is a decrease from FY 21 of $310,320. This is all related to the pandemic and the grace period that was implemented in 2019-20.

C. State Revenue Sharing continues to outpace expectations and is currently $1,275,019 more than last year.

Expenditures

City expenditures through April 2022 are $40,236,098, or 85.42%, of the budget. Noteworthy variances are:

A. The majority of operating departments are either below or right on target for April. The accounts that are over for 10 months are Debt Service, which the largest part of this line item is paid in the fall. The intergovernmental agencies get paid either quarterly or one annual payment. The budget is right in line with last year's expenditures at this time.

Investments

This section contains an investment schedule as of April 30th. Currently the City's funds are earning an average interest rate of 0.24%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of April 2022, March 2022, and June 2021

	April 2022 2022	March 2022 2022	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 38,433,438	$ 22,235,704	$ 16,197,734	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,076,170	1,196,474	(120,304)	1,895,710
TAXES RECEIVABLE-CURRENT	1,462,097	21,795,718	(20,333,621)	55,238
DELINQUENT TAXES	400,181	401,870	(1,689)	809,349
TAX LIENS	562,483	747,604	(185,121)	1,091,138
NET DUE TO/FROM OTHER FUNDS	(367,777)	927,093	(1,294,870)	-
TOTAL ASSETS	**$ 41,566,593**	**$ 47,304,463**	**$ (5,737,870)**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (282,496)	$ (1,897)	$ (280,599)	$ (985,754)
PAYROLL LIABILITIES	(935,422)	1,933,735	(2,869,157)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(51,662)	(34,982)	(16,680)	-
ESCROWED AMOUNTS	(141,210)	(29,183)	(112,027)	(27,653)
DEFERRED REVENUE	(2,264,851)	(22,770,564)	20,505,713	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (3,675,732)**	**$ (20,902,982)**	**$ 17,227,250**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (35,093,225)	$ (23,603,845)	$ (11,489,380)	$ (13,291,007)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(761,970)
TOTAL FUND BALANCE	**$ (37,890,861)**	**$ (26,401,481)**	**$ (11,489,380)**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (41,566,593)**	**$ (47,304,463)**	**$ 5,737,870**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH April 30, 2022 VS April 30, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU APR 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 48,611,259	97.14%	$ 49,655,498	$ 48,108,500	96.88%	$ 502,759
PRIOR YEAR TAX REVENUE	$ -	$ 523,015		$ -	$ 841,918		$ (318,903)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 3,747,812	84.70%	$ 4,112,861	$ 4,058,132	98.67%	$ (310,320)
PENALTIES & INTEREST	$ 120,000	$ 94,556	78.80%	$ 150,000	$ 140,537	93.69%	$ (45,981)
TOTAL TAXES	$ 56,237,450	$ 54,266,690	96.50%	$ 55,338,359	$ 54,554,627	98.58%	$ (287,937)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 261,833	157.73%	$ 166,000	$ 228,626	137.73%	$ 33,207
NON-BUSINESS	$ 300,200	$ 395,507	131.75%	$ 392,400	$ 380,217	96.90%	$ 15,290
TOTAL LICENSES	$ 466,200	$ 657,341	141.00%	$ 558,400	$ 608,843	109.03%	$ 48,498
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 4,129,362	131.09%	$ 2,708,312	$ 2,854,343	105.39%	$ 1,275,019
WELFARE REIMBURSEMENT	$ 90,656	$ 59,663	65.81%	$ 90,656	$ 31,334	34.56%	$ 28,329
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 13,573	42.42%	$ 2,190
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 29,877	13.08%	$ (29,877)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 4,626,380	118.90%	$ 3,459,352	$ 3,320,103	95.97%	$ 1,306,277
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 138,827	75.29%	$ 198,440	$ 124,001	62.49%	$ 14,826
PUBLIC SAFETY	$ 176,600	$ 136,290	77.17%	$ 181,600	$ 152,139	83.78%	$ (15,849)
EMS TRANSPORT	$ 1,250,000	$ 1,233,250	98.66%	$ 1,200,000	$ 967,588	80.63%	$ 265,662
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,508,367	93.63%	$ 1,580,040	$ 1,243,728	78.71%	$ 264,639
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 39,730	95.73%	$ 55,000	$ 23,707	43.10%	$ 16,023
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 22,278	55.69%	$ 80,000	$ 45,934	57.42%	$ (23,656)
RENTS	$ 125,000	$ 15,819	12.66%	$ 35,000	$ 34,247	97.85%	$ (18,428)
UNCLASSIFIED	$ 20,000	$ 29,178	145.89%	$ 10,000	$ 133,216	1332.16%	$ (104,038)
COMMERCIAL SOLID WASTE FEES	$ -	$ 50,005		$ -	$ 46,773		$ 3,232
SALE OF PROPERTY	$ 120,000	$ 35,235	29.36%	$ 25,000	$ 78,514	314.06%	$ (43,279)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 193,426	82.66%	$ 230,000	$ 175,286	76.21%	$ 18,140
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 15,578	77.89%	$ 20,000	$ 15,671	78.36%	$ (93)
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 361,518	12.46%	$ 2,838,673	$ 529,641	18.66%	$ (168,123)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 61,460,026**	94.34%	**$ 63,829,824**	**$ 60,280,649**	94.44%	**$ 1,179,377**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 22,430,127	77.61%	$ 26,217,074	$ 21,798,074	83.14%	$ 632,053
EDUCATION	$ 518,821	$ 561,031	108.14%	$ 717,415	$ 349,452	48.71%	$ 211,579
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ -	0.00%	$ 970,862	$ -	0.00%	$ -
TOTAL SCHOOL	$ 30,298,286	$ 22,991,158	75.88%	$ 27,905,351	$ 22,147,526	79.37%	$ 843,632
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 84,451,184**	**88.48%**	**$ 91,735,175**	**$ 82,428,175**	**89.85%**	**$ 2,023,009**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH April 30, 2022 VS April 30, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU APR 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 101,773	97.07%	$ 99,000	$ 64,681	65.33%	$ 37,092
CITY MANAGER	$ 447,401	$ 399,558	89.31%	$ 776,095	$ 576,829	74.32%	$ (177,271)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 811,995	89.07%	$ 609,260	$ 597,817	98.12%	$ 214,178
CITY CLERK	$ 237,474	$ 190,205	80.10%	$ 216,946	$ 180,105	83.02%	$ 10,100
FINANCIAL SERVICES	$ 810,303	$ 634,852	78.35%	$ 751,849	$ 607,726	80.83%	$ 27,126
HUMAN RESOURCES	$ 220,250	$ 171,702	77.96%	$ 157,057	$ 124,192	79.07%	$ 47,510
TOTAL ADMINISTRATION	$ 2,731,915	$ 2,310,085	84.56%	$ 2,610,207	$ 2,151,350	82.42%	$ 158,735
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 677,230	75.20%	$ 1,339,047	$ 820,555	61.28%	$ (143,325)
ECONOMIC DEVELOPMENT	$ 108,469	$ 95,613	88.15%				$ 95,613
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 230,263	44.95%				$ 230,263
HEALTH & SOCIAL SERVICES	$ 119,875	$ 80,283	66.97%	$ 199,282	$ 116,067	58.24%	$ (35,784)
RECREATION & SPORTS TOURISM	$ 584,056	$ 470,785	80.61%	$ 520,474	$ 475,461	91.35%	$ (4,676)
PUBLIC LIBRARY	$ 1,052,163	$ 964,483	91.67%	$ 1,031,533	$ 945,572	91.67%	$ 18,911
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 2,518,657	76.85%	$ 3,090,336	$ 2,357,655	76.29%	$ 161,002
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 7,652,856	98.95%	$ 7,577,735	$ 7,612,407	100.46%	$ 40,449
FACILITIES	$ 677,872	$ 531,853	78.46%	$ 667,494	$ 582,137	87.21%	$ (50,284)
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 5,381,175	73.36%	$ 6,840,635	$ 5,294,084	77.39%	$ 87,091
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (5,000)	-1.08%	$ 5,000
TOTAL FISCAL SERVICES	$ 16,850,603	$ 14,208,284	84.32%	$ 16,189,004	$ 14,125,538	87.25%	$ 82,746
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 4,700,890	86.31%	$ 5,302,131	$ 4,543,328	85.69%	$ 157,562
POLICE DEPARTMENT	$ 4,343,924	$ 3,704,803	85.29%	$ 4,332,339	$ 3,542,750	81.77%	$ 162,053
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 8,405,693	85.86%	$ 9,634,470	$ 8,086,078	83.93%	$ 319,615
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 4,106,975	80.89%	$ 4,979,329	$ 3,789,110	76.10%	$ 317,865
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 727,901	66.78%	$ 1,051,318	$ 763,655	72.64%	$ (35,754)
WATER AND SEWER	$ 792,716	$ 781,203	98.55%	$ 792,716	$ 781,203	98.55%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 5,616,079	80.69%	$ 6,823,363	$ 5,333,968	78.17%	$ 282,111
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 175,932	99.40%	$ 170,000	$ 167,110	98.30%	$ 8,822
E911 COMMUNICATION CENTER	$ 1,161,479	$ 1,161,479	100.00%	$ 1,134,304	$ 1,134,784	100.04%	$ 26,695
LATC-PUBLIC TRANSIT	$ 225,000	$ 118,715	52.76%	$ 331,138	$ -	0.00%	$ 118,715
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ 232,729	89.51%	$ 260,000	$ -	0.00%	$ 232,729
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,698,855	92.66%	$ 1,905,442	$ 1,311,894	68.85%	$ 386,961
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 40,236,098**	**85.42%**	**$ 45,932,563**	**$ 38,842,044**	**84.56%**	**$ 1,394,054**
EDUCATION DEPARTMENT	$ 48,341,366	$ 24,667,380	51.03%	$ 45,802,612	$ 31,715,925	69.24%	$ (7,048,545)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 64,903,478**	**68.00%**	**$ 91,735,175**	**$ 70,557,969**	**76.91%**	**$ (5,654,491)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF April 30, 2022

INVESTMENT		FUND		BALANCE April 30, 2022		BALANCE March 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$	9,744,271.76	$	6,344,838.15	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$	1,052,172.23	$	1,051,084.98	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$	18,430,285.38	$	9,487,185.88	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$	52,562.58	$	52,508.32	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$	339,852.04	$	339,500.87	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$	226,921.29	$	226,686.84	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$	62,689.90	$	62,625.14	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$	168,140.65	$	142,357.48	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$	15,379.73	$	15,363.86	**0.25%**
NOMURA		ELHS Bond Proceeds	$	26,981,899.00	$	30,374,814.00	**0.15%**
GRAND TOTAL			**$**	**57,074,174.56**	**$**	**48,096,965.52**	**0.24%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of April 30, 2022

	Beginning Balance 4/1/2022	April 2022 New Charges	April 2022 Payments	April 2022 Refunds	April 2022 Adjustments	Write-Offs	Ending Balance 4/30/2022
Bluecross	**$ 16,794.40**	$ 9,433.40	$ (5,099.11)		$ (11,723.42)		**$ 9,405.27**
Intercept	**$ 150.00**	$ 150.00	$ (150.00)				**$ 150.00**
Medicare	**$ 119,488.98**	$ 131,542.80	$ (48,202.32)	$ 294.02	$ (83,037.34)		**$ 120,086.14**
Medicaid	**$ 54,609.63**	$ 43,346.00	$ (31,381.21)		$ (12,455.27)		**$ 54,119.15**
Other/Commercial	**$ 89,356.81**	$ 25,054.20	$ (9,904.79)	$ 102.49	$ (16,024.64)	$ (15,894.90)	**$ 72,689.17**
Patient	**$ 112,290.90**	$ 10,330.60	$ (9,583.62)		$ 704.52		**$ 113,742.40**
Worker's Comp	**$ 1,945.80**	$ 837.80	$ (2,306.67)		$ (476.93)		**$ -**
TOTAL	**$ 394,636.52**	**$ 220,694.80**	**$ (106,627.72)**	**$ 396.51**	**$ (123,013.08)**	**$ (15,894.90)**	**$ 370,192.13**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of April 30, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 8,815.60	$ 18,744.80	$ 9,433.40	$ 102,940.27	3.63%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -		$ 150.00	$ 150.00	$ 1,300.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 132,523.40	$ 186,922.40	$ 131,542.80	$ 1,670,119.43	58.85%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 72,265.40	$ 58,278.40	$ 43,346.00	$ 608,791.10	21.45%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 20,858.60	$ 29,270.60	$ 25,054.20	$ 311,247.09	10.97%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 10,717.40	$ 15,308.20	$ 10,330.60	$ 133,906.05	4.72%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80		$ 1,945.80	$ 837.80	$ 9,591.60	0.34%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 245,180.40	$ 310,620.20	$ 220,694.80	$ 2,837,895.54	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of April 30, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	9	19	11	107	3.31%
Intercept	0		4	4	1	1	0	0	3	1	14	0.43%
Medicare	244	172	227	174	226	186	168	156	204	150	1907	59.04%
Medicaid	82	54	100	64	80	48	60	81	65	47	681	21.08%
Other/Commercial	34	32	48	44	51	35	20	22	39	25	350	10.84%
Patient	45	19	12	13	15	10	11	11	16	9	161	4.98%
Worker's Comp	1	0	2	1	0	0	3	0	2	1	10	0.31%
TOTAL	416	287	406	305	385	293	267	279	348	244	3230	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of March 31, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 6,010.41	64%	$ 77.09	1%	$ 90.82	1%	$ -	0%	$ 3,226.95	34%	$ 9,405.27	2.54%
Intercept	$ 150.00		$ -								$ 150.00	0.04%
Medicare	$ 85,770.20	71%	$ 12,205.20	10%	$ 8,704.49	7%	$ 1,693.60	1%	$ 11,712.65	10%	$ 120,086.14	32.44%
Medicaid	$ 32,968.82	61%	$ 8,540.77	16%	$ 7,305.90	13%	$ 4,229.95	8%	$ 1,073.71	2%	$ 54,119.15	14.62%
Other/Commercial	$ 27,217.08	37%	$ 13,600.14	19%	$ 7,347.31	10%	$ 4,946.60	7%	$ 19,578.04	27%	$ 72,689.17	19.64%
Patient	$ 31,982.76	28%	$ 26,723.11	23%	$ 19,551.71	17%	$ 16,838.08	15%	$ 18,646.74	16%	$ 113,742.40	30.73%
Worker's Comp											$ -	0.00%
TOTAL	$ 184,099.27		$ 61,146.31		$ 43,000.23		$ 27,708.23		$ 54,238.09		$ 370,192.13	
	50%		17%		12%		7%		15%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of April 30. 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 71,400.62	$ 360.00	$ 515.02		$ 2,917.39	$ 437.00				$ 15,676.00	$ (342,758.00)	$ 109,031.40	$ 3,903.05	$ 8,002.50	$ 2,416.38	$ 13,184.10
Expenditures FY22	$ 158,761.00	$ 39.98			$ 3,171.54	$ 949.15			$ 124.21	$ 15,676.00	$ 277,563.74	$ 154,644.87	$ 4,895.58	$ -	$ 2,379.07	$ 12,283.77
Fund Balance 04/30/22	**$ 511,844.81**	**$ 6,856.98**	**$ 34,881.37**	**$ 1,221.68**	**$ 4,877.23**	**$ (512.15)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ (488,571.53)**	**$ (158,358.95)**	**$ 5,982.61**	**$ 20,598.75**	**$ 4,356.29**	**$ 3,721.26**

	2016 Pedestrian Safety Grant	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 2,160.19	$ 300.00	$ 254,070.89	$ 1,256.75	$ 86,584.00		$ 8,358.37			$ 9,886.13	$ 36,024.65			$ 8,000.00	$ 33.36	$ 181,988.09
Expenditures FY22	$ 2,942.37		$ 548,225.99	$ 1,144.80	$ 81,011.85	$ (2,600.00)	$ 2,250.09		$ 2,747.05	$ 9,886.13	$ 34,366.20	$ 1,695.00		$ 7,996.88	$ 7,173.19	$ 237,246.04
Fund Balance 04/30/22	**$ (782.18)**	**$ (8,205.29)**	**$ 1,408,806.59**	**$ 30,682.27**	**$ 18,411.49**	**$ 2,560.00**	**$ 8,837.43**	**$ 20,536.23**	**$ 23,499.99**	**$ -**	**$ 94,682.89**	**$ (1,695.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 21,349.71**	**$ 169,836.87**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ 252,323.69
Revenues FY22		$ 3,569.36						$ (3,111.14)	$ 47,000.00		$ 4,899.36		$ 295,517.78
Expenditures FY22	$ 1,304.77	$ 6,046.21	$ -	$ (1,610.17)		$ 23,325.00		$ 17,361.95	$ 21,646.39		$ 618,889.73	$ 6,237.00	$ 384,113.59
Fund Balance 04/30/22	**$ 4,911.03**	**$ (2,476.85)**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,082.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,158,909.13**	**$ (6,237.00)**	**$ 163,727.88**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues	TIF Totals
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89	$ (796,961.66)
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,688,987.89	$ 2,867,364.64
Expenditures FY22	$ 79,982.76		$ 342,494.56	$ 230,043.00	$ 154,654.38	$ 591,073.78	$ 30,524.86	$ 32,643.98	$ 59,152.20	$ 25,243.24	$ 42,092.32	$ 183,246.92	$ 34,120.33	$ 25,223.75	$ 4,472,385.05	$ 1,830,496.08
Fund Balance 04/30/22	**$ 78,950.70**	**$ 806,274.01**	**$ 241,496.73**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	**$ 1,120.91**	**$ 50,241.31**	**$ 84,060.95**	**$ 33,113.81**	**$ 13,914.35**	**$ (102,204.06)**	$ 6,446,558.73	$ 239,906.90

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for April 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of April 30, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of April 30, 2022.

Current Assets:
As of the end of April 2022 the total current assets of Ingersoll Turf Facility were $226,875. This consisted of cash and cash equivalents an increase from March of $48.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of April 30, 2022, were $89,514.

Liabilities:
Ingersoll had accounts payable of $87 as of April 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through April 2022 are $169,589. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through April 2022 were $127,666. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of April 2022, Ingersoll has an operating gain of $41,923 compared to $45,947 in March a decrease in the gain of $4,024.

As of April 30, 2022, Ingersoll has an increase in net assets of $41,923.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
April 30, 2022
Business-type Activities - Enterprise Fund

		April 30, 2022	March 31, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,875	$ 226,827	$ 48
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,875	226,827	48
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,389	316,341	48
LIABILITIES				
Accounts payable		$ 87	$ 322	(235)
Interfund payable		$ 7,541	$ 3,234	4,307
Total liabilities		7,628	3,556	4,072
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 219,247	$ 223,271	$ (4,024)
Total net assets		**$ 308,761**	**$ 312,785**	**$ (4,024)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
April 30, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 169,589
Operating expenses:	
Personnel	78,536
Supplies	17,293
Utilities	21,028
Repairs and maintenance	5,253
Rent	-
Depreciation	-
Capital expenses	5,556
Other expenses	-
Total operating expenses	127,666
Operating gain (loss)	41,923
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	41,923
Transfers out	-
Change in net assets	41,923
Total net assets, July 1	266,838
Total net assets, April 30, 2022	**$ 308,761**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through April 30, 2022 compared to April 30, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU APR 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 10,775	43.10%	$ 25,000	$ 11,525	46.10%
Batting Cages	$ 16,000	$ 17,201	107.51%	$ 13,000	$ 18,220	140.15%
Programs	$ 94,000	$ 48,775	51.89%	$ 90,000	$ 13,372	14.86%
Rental Income	$ 138,000	$ 92,345	66.92%	$ 102,000	$ 79,331	77.78%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 169,096	61.94%	$ 230,000	$ 122,448	53.24%
INTEREST ON INVESTMENTS	$ -	$ 493		$ -	$ 1,092	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 169,589**	**62.12%**	**$ 230,000**	**$ 123,540**	**53.71%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through April 30, 2022 compared to April 30, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU APR 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 78,536	59.03%	$ 187,546	$ 119,103	63.51%	$ (40,567)
Purchased Services	$ 15,750	$ 5,253	33.35%	$ 14,450	$ 6,463	44.73%	$ (1,210)
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 17,293	691.72%	$ 4,000	$ 3,771	94.28%	$ 13,522
Utilities	$ 24,150	$ 21,028	87.07%	$ 25,650	$ 17,726	69.11%	$ 3,302
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,556		$ -	$ -		$ 5,556
	$ 191,741	$ 127,666	66.58%	$ 250,146	$ 147,063	58.79%	$ (19,397)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 127,666**	**66.58%**	**$ 250,146**	**$ 147,063**	**58.79%**	**$ (19,397)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for April 30, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of April 30, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities, and net assets and shows a comparison to the previous month, in this case, February 28, 2022.

Current Assets:
As of the end of April 2022 the total current assets of Norway Savings Bank Arena were ($1,199,048). These consisted of cash and cash equivalents of $279,951, accounts receivable of $108,228, and an interfund payable of $1,507,227.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of April 30, 2022 was $195,258.

Liabilities:
Norway Arena had accounts payable of $3,695 as of April 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through April 2022 are $879,592. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals.

The operating expenses for Norway Arena through April 2022 were $571,227. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of April 2022, there was an operating gain of $308,365.

As of April 30, 2022, Norway Arena has an increase in net assets of $308,365.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $196,536 more than in FY21 and expenditures in FY22 are $2,610 less than last year in April.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
April 30, 2022
Business-type Activities - Enterprise Fund

		April 30 2022	March 31, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 279,951	$ 275,058	$ 4,893
Interfund receivables		$ (1,507,227)	$ (1,534,874)	$ 27,647
Prepaid Rent				$ -
Accounts receivable		108,228	10,219	$ 98,009
	Total current assets	(1,119,048)	(1,249,597)	130,549
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(923,790)	(1,054,339)	130,549
LIABILITIES				
Accounts payable		$ 3,695	$ 2,840	$ 855
Net OPEB liability		$ 43,810	$ 43,810	$ -
Net pension liability		42,634	42,634	-
Total liabilities		90,139	89,284	855
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,209,187)	$ (1,338,881)	$ 129,694
Total net assets		**$ (1,013,929)**	**$ (1,143,623)**	**$ 129,694**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
April 30, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 879,592
Operating expenses:	
Personnel	267,714
Supplies	59,580
Utilities	179,385
Repairs and maintenance	33,608
Insurance Premium	30,940
Depreciation	
Capital expenses	
Other expenses	
Total operating expenses	571,227
Operating gain (loss)	308,365
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	308,365
Transfers out	-
Change in net assets	308,365
Total net assets, July 1	(1,322,294)
Total net assets, April 30, 2022	**$ (1,013,929)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through April 30, 2022 compared to April 30, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU APR 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 12,925	78.33%	$ 16,500		0.00%	$ 12,925
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 2,000	100.00%	$ 3,000		0.00%	$ 2,000
Games Vending Machines	$ 3,000	$ 1,093	36.43%	$ 3,000		0.00%	$ 1,093
Vending Food	$ 2,000	$ 354	17.70%	$ 3,000	$ 85	2.83%	$ 269
Sponsorships	$ 185,000	$ 193,750	104.73%	$ 230,000	$ 171,183	74.43%	$ 22,567
Pro Shop	$ 7,000	$ 5,207	74.39%	$ 7,000	$ 1,459	20.84%	$ 3,748
Programs	$ 20,000	$ 2,370	11.85%	$ 20,000	$ -	0.00%	$ 2,370
Rental Income	$ 683,500	$ 600,539	87.86%	$ 727,850	$ 470,769	64.68%	$ 129,770
Camps/Clinics	$ 50,000	$ 24,860	49.72%	$ 50,000	$ 39,560	79.12%	$ (14,700)
Tournaments	$ 50,000	$ 36,069	72.14%	$ 55,000		0.00%	$ 36,069
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 879,592	85.81%	$ 1,122,850	$ 683,056	60.83%	$ 196,536

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through April 30, 2022 compared to April 30, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU APR 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU APR 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 267,714	78.87%	$ 328,913	$ 235,053	71.46%	$ 32,661
Purchased Services	$ 123,928	$ 64,548	52.09%	$ 120,000	$ 95,270	79.39%	$ (30,722)
Supplies	$ 79,000	$ 59,580	75.42%	$ 83,000	$ 50,924	61.35%	$ 8,656
Utilities	$ 250,350	$ 179,385	71.65%	$ 244,650	$ 192,590	78.72%	$ (13,205)
Capital Outlay	$ 42,500	$ -	0.00%	$ 50,000	$ -	0.00%	$ -
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 571,227	68.39%	$ 826,563	$ 573,837	69.42%	$ (2,610)
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 571,227**	**68.39%**	**$ 826,563**	**$ 573,837**	**69.42%**	**$ (2,610)**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: May 16th, 2022

Author: Jeff Tardif, General Assistance manager

Subject: Executive Session, poverty abatement case, pursuant to 36 M.R.S.A. § 841

Information:

Discussion on a poverty abatement case #PA 2022-001 pursuant to (36 M.R.S.A § 841). A hearing and written notice to be provided within 30 days. Possible action to follow.

City Council Workshop & Meeting
Agenda
June 6, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Redistricting – Sue Clements-Dallaire and Rosemary Mosher
- **B.** Public Safety Building – Brian Wood
- **C.** Facility Audit Results – Dan Goyette

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Staples

Pledge of Allegiance

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

1. Order 67-06062022*
Nominating City Manager Phillip L. Crowell, Jr. to Maine Municipal Association's 2022-2024 Legislative Policy Committee.

2. Order 68-06062022*
Changing the date of the first regular City Council meeting in July from July 5, 2022 to July 11, 2022.

3. Order 69-06062022*
Appointing Wardens and Ward Clerks for the June 14, 2022 Election.

4. Order 70-06062022*
Re-appointing Jan Biron to the Age Friendly Committee with a term expiration of 6/1/2025.

5. Order 71-06062022*
Re-appointing Belinda Gerry to the Age Friendly Committee with a term expiration of 6/1/2025.

6. Order 72-06062022*
Re-appointing Frank Pippin to the Age Friendly Committee with a term expiration of 6/1/2025.

7. Order 73-06062022*
Re-appointing Leroy Walker to the Age Friendly Committee with a term expiration of 6/1/2025.

8. Order 74-06062022*
Appointing Heather Barnett to the Complete Streets Committee with a term expiration of 1/1/2025.

9. Order 75-06062022*
Appointing Tim MacLeod to the Lewiston Auburn Transit Committee (LATC) with a term expiration of 7/1/2024.

10. Order 76-06062022*
Appointing Michael Meigs to the Parks & Recreation Advisory Board with a term expiration of 10/01/2023.

11. Order 77-06062022*
Re-appointing Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6/01/2024.

12. Order 78-06062022*
Appointing Tom Moulin to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2024.

13. Order 79-06062022*
Appointing Jeff Chute to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2026.

14. Order 80-06062022*
Accepting the transfer of $4,637 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-2809).

15. Order 81-06062022*
Accept the transfer of $1,321 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-150).

16. Order 82-06062022*
Accept the transfer of $1,075 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-342).

II. Minutes - May 16, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- 2022 Mayor John Jenkins Hearts & Hands Leadership & Service Award
- Community Gardens - Kirsten Walter and Glen Holmes
- Hydro Power Update – Eric Cousens
- Proclamation – World Refugee Day

- Communication – Liberty Festival Special Event/Mass Gathering Request
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Ordinance 16-06062022
Approving the zoning amendment for 278 Poland Road. Public hearing and first reading.

2. Order 83-06062022
Allocating $300,000.00 of ARPA Funding to create a two-year pilot program called "Project Support You – Auburn".

3. Order 84-06062022
Reallocating unspent bond proceeds in the amount of $32,376 to fund purchase of Flight Simulator.

4. Order 85-06062022
Adopting Juneteenth (June 19th) as an official city holiday.

5. Order 86-06062022
Changing the date of the second regular Council meeting for the month of June from June 20, 2022 to June 27, 2022.

6. Order 87-06062022
Allocating $300,000.00 of ARPA Funding to create small area master plans in targeted growth areas within the city.

7. Order 88-06062022
Approving the sale of City owned property.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)
a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - Economic Development matter, pursuant to 1 M.R.S.A. Sec. 405(6)(C)

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Re-districtng

Information: Title 30-A §2503 (2) states that "the Municipal Legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts". Those were adopted by the 130th Legislature and signed into law by the Governor on 9/29/21.

Title 30-A §2503 (1)(B) also states "each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created".

Below are the numbers taken from the 2020 census and broken down by districts.

Ward	Target Population	Actual Population	Variance
1	4,812.2	5,040	+227.8
2	4,812.2	4,665	-147.2
3	4,812.2	5,023	+210.8
4	4,812.2	4,615	-197.2
5	4,812.2	4,718	-94.2
	24,061	24,061	

The variance between the lowest (W4) and highest (W1) populated districts is 425 or 9%

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends re-adopting the current Ward lines.

Previous Meetings and History: Every 10 years following the census.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

§2503. Reapportionment

1. Adoption by ordinance. Districts established for the purpose of electing, from each district, an equal number of municipal officers may be adjusted, by ordinance, by the municipal legislative body subject to the following conditions.

A. Each district must be formed of compact, contiguous territory. Its boundary lines may follow the center lines of streets. [PL 1987, c. 737, Pt. C, §2 and Pt (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The ordinance must include a map and a description of the districts. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. The ordinance takes effect on the 30th day after adoption by the legislative body. The new districts and boundaries, as of the effective date, supersede previous districts and boundaries for the purposes of the next regular municipal election, including nominations. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Failure to enact ordinance. The municipal legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts pursuant to the Constitution of Maine, Article IV, Part First, Section 3 and Article IV, Part Second, Section 2 or after a court decision finalizing the reapportionment of districts. The ordinance must be enacted at least 90 days before a regular municipal election occurring within that 12-month period or the previous reapportionment ordinance applies to that election. If the legislative body fails to enact an ordinance within the 12-month period or at least 90 days before a regular election occurring after the 12-month period, all municipal officers to be elected must be elected at large and serve until their terms expire. Such at-large elections continue until the legislative body enacts an ordinance in accordance with subsection 1 at least 90 days before a regular municipal election.

[PL 2001, c. 537, §1 (AMD); PL 2001, c. 537, §2 (AFF).]

3. Referendum. Except when the municipal legislative body is the town meeting, the voters of the municipality may require the municipal legislative body to reconsider any ordinance adopted under subsection 1. If the legislative body does not repeal an ordinance so reconsidered, the voters may approve or reject it at a municipal election.

A. Any 5 voters may commence referendum proceedings by filing an affidavit with the municipal clerk stating:

(1) They will constitute the petitioners' committee;

(2) They will be responsible for circulating the petition and filing it in proper form;

(3) Their names and addresses;

(4) The address to which all notices to the committee are to be sent; and

(5) The ordinance sought to be reconsidered.

Promptly after the affidavit of the petitioners' committee is filed, the clerk shall issue the appropriate petition blanks to the petitioners' committee. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Petitions under this subsection must meet the following requirements.

(1) Petitions must be signed by a number of voters of the municipality equal to at least 15% of the total number of voters in the municipality at the last presidential election.

(2) All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature must be executed in ink or indelible pencil and must be followed by the address of the person signing. While being circulated, petitions must have the full text of the ordinance sought to be reconsidered contained in or attached to the petition.

(3) When filed, each paper of a petition must have an affidavit, executed by the circulator of the petition, attached to it stating:

(a) That the circulator personally circulated the paper;

(b) The number of signatures on the paper;

(c) That all the signatures were signed in the circulator's presence;

(d) That the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and

(e) That each signer had an opportunity before signing to read the full text of the ordinance sought to be reconsidered.

(4) Petitions must be filed within 30 days after the municipal legislative body adopts the ordinance sought to be reconsidered. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The following procedure shall be followed after the petition is filed with the municipal clerk.

(1) Within 20 days after the petition is filed, the municipal clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars which render it defective. The clerk shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of the clerk's certificate and files a supplementary petition upon additional papers within 10 days after receiving a copy of the certificate. This supplementary petition must comply with the requirements of paragraph B, subparagraphs (2) and (3). Within 5 days after it is filed, the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of that certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend the petition or request review under subparagraph (2), within the time required, the clerk shall promptly present the clerk's certificate to the municipal legislative body and the certificate is then a final determination as to the sufficiency of the petition.

(2) If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee, within 2 days after receiving the copy of the certificate, may file a request that it be reviewed by the municipal legislative body. The legislative body shall review the certificate at its next meeting following the filing of the committee's request and approve or disapprove it. This determination is then final as to the sufficiency of the petition.

(3) A final determination as to the sufficiency of a petition is subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. When a petition is filed with the clerk under this subsection, the ordinance sought to be reconsidered is suspended from taking effect. This suspension ends when:

(1) There is a final determination of insufficiency of the petition;

(2) The petitioners' committee withdraws the petition;

(3) The council repeals the ordinance; or

(4) Thirty days have elapsed after a vote of the municipality on the ordinance. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. The following procedure shall be followed if a petition is determined to be sufficient.

(1) When a petition has been finally determined sufficient, the municipal legislative body shall promptly reconsider the referred ordinance by voting its repeal. If the legislative body fails to repeal the referred ordinance within 30 days after the date the petition was finally determined sufficient, it shall submit the referred ordinance to the voters of the municipality.

(2) The vote of the municipality on a referred ordinance shall be held at least 30 days and not more than one year after the municipal legislative body's final vote on the ordinance. If no regular municipal election is to be held within this period, the legislative body shall provide for a special election; otherwise the vote shall be held at the same time as a regular election occurring within this period, except that the legislative body, in its discretion, may provide for a special election at an earlier date within the prescribed period. Copies of the referred ordinance shall be made available at the polls.

(3) The form of the ballot for the repeal of the ordinance shall be substantially as follows:

"Shall the ordinance entitled '.....' be repealed?

YES / / NO / /"

(The voters shall indicate their choice by a cross or check mark placed in the appropriate box opposite the words YES or NO.)

(4) A petition may be withdrawn at any time before the 15th day prior to the day scheduled for a vote of the municipality. The petitioners' committee must file with the municipal clerk a request for withdrawal signed by at least 4 members of the petitioners' committee. Upon filing this request, the petition has no further effect and all proceedings on the petition shall be terminated. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

F. If a majority of the voters who vote on a referred ordinance vote for its repeal, it is considered repealed upon certification of the election results. [PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Exception. This section does not apply to municipalities whose charters specify different methods of reapportionment.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§A116,C8,10 (AMD). PL 1989, c. 104, §§A116,C10 (AMD). PL 2001, c. 537, §1 (AMD). PL 2001, c. 537, §2 (AFF).

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City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022

Author: Brian Wood, Assistant City Manager

Subject: Public Safety Facilities Presentation

Information:

The City of Auburn temporarily relocated the Auburn Police Department to City Hall in 2011 after extensive mold and flooding deemed the police station unusable. This relocation of the Police Department in addition to a needs and safety assessment of all three Auburn Fire Department location has resulted in a comprehensive facilities review that started in 2017. This review led to a determination that current facilities were inadequate to meet the modern safety standards and functional needs of the public safety deparmtents. Since 2019 staff has worked with consultants and subject matter experts to conduct assessments, land review and preliminary designs to understand what options would best address current and future needs of the public safety departments. These finding and options will be presented to City Council.

City Budgetary Impacts: TBD

Staff Recommended Action: NA

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022

Author: Dan Goyette

Subject: Municipal Building Investment Grade Audit Results

Information: The City of Auburn partnered with BIMS (Building Infrastructure Management Solutions) to complete investment grade audits for all municipal facilities (City Hall, Library, Norway Savings Bank Arena, Hasty, Ingersoll, Public Works, Fire Stations and Community Little Theatre). The mechanical systems in each building were reviewed as well as data loggers installed to measure temperature, RH and CO2 levels. The building envelopes and the lighting systems in each facility were also reviewed. Based on the information that was gathered a list of building system upgrades was developed. The results of the survey are included as an attachment to along with a list of priority projects and the associated costs.

City Budgetary Impacts: All of these projects will need to be completed. The priorities listed are critical and will need to be done as soon as possible. The priority projects need additional funds in the amount of $1,400,000.

Staff Recommended Action: The Mayor Ad-hoc ARPA Committee listed the HVAC projects as tier one. Staff proposed having a review completed to determine estimated costs and priorities. Staff recommends the council determine if ARPA funds will be used or if the project will be funded within the capital improvement plan.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Priority List
Infrastructure Study

Priorities

		Equipment Costs	25% engineering, contingency, commisioning and escalation	Existing CIP Allocation
1	Hasty Community- HVAC Upgrades (HRV/VRV)	$ 689,731	$ 862,164	$ 375,000
2	Auburn Library-HVAC (Boiler)	$ 109,512	$ 136,890	
3	Auburn Library-HVAC (Controls/Roof Top Units)	$ 547,239	$ 684,049	
4	Norway Savings Bank Arena (Exhaust/BACS)	$ 88,556	$ 110,695	$ 20,000
		$ 1,435,038	**$ 1,793,798**	$ 395,000
	Funding needs :	**$ 1,398,798**		

Future Needs

5	City Hall-HVAC Upgrades (Boiler/AHU)	$ 752,468	$ 940,585	
6	Engine 5 (VRV/ERV/BACS)	$ 187,733	$ 234,666	
7	City Hall-Chilled Water Dry Cooler	$ 188,477	$ 235,596	
8	Ingersoll Arena (AC System)	$ 387,261	$ 484,076	
		$ 1,515,939	$ 1,894,924	

Community Little Theatre

1	Boiler Room Upgrades	$ 575,441	$ 719,301
2	Basement Storage Ventilation Upgrade	$ 88,233	$ 110,291
3	Steam Radiation and DDC Controls Installation	$ 269,383	$ 336,729
4	Theater Area VRV and Ventilation Upgrade	$ 828,524	$ 1,035,655
5	Room 204 Split System	$ 21,751	$ 27,189
		$ 1,783,332	$ 2,229,165

DRAFT OVERVIEW

CITY OF AUBURN

INFRASTRUCTURE STUDY

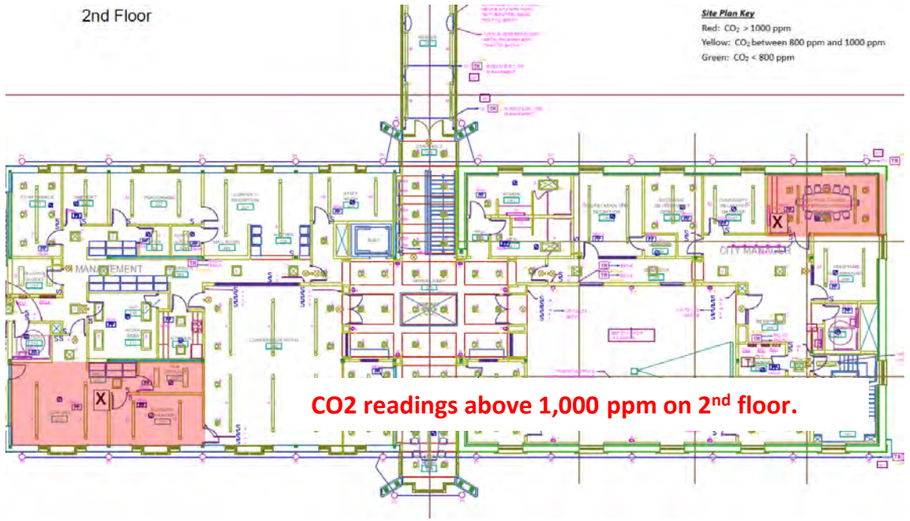
MAY, 2022

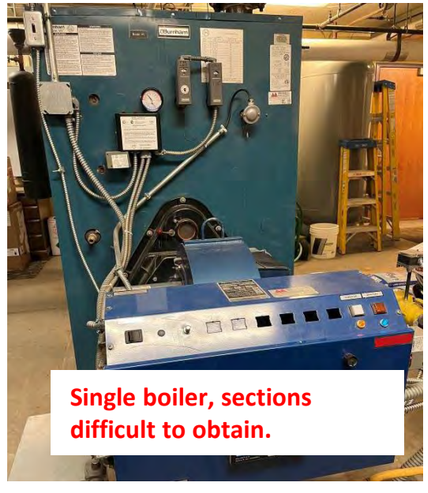
What we've done:

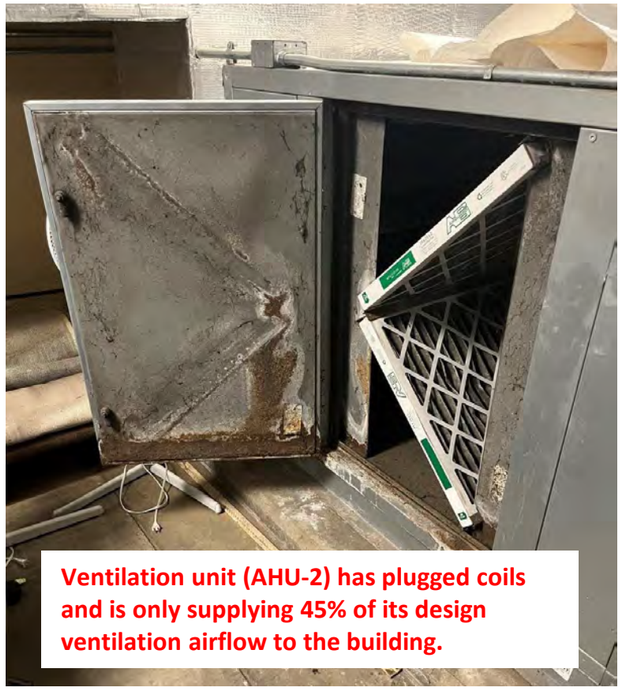
- Studied the condition of the boiler rooms at all buildings
- Studied the condition of ventilation systems at all buildings
- Assessed the existing boiler and ventilation system designs
- Installed data loggers to measure temperature, RH, CO2
- Met with staff to discuss the systems
- Discussed control sequences with staff at Norway
- Measured ventilation air – City Hall, Library, Norway
- Lighting audits - City Hall, Library, Ingersoll, Hasty, Norway
- Building envelope audits – City Hall, Library, Ingersoll, Hasty
- Developed initial needs list

Findings so far:

- Auburn City Hall Needs
  - Replace boiler and burner. Add for redundancy.
  - Add chilled water pump for redundancy.
  - Replace AHU-1 and -2.
  - Install new controls
  - Lighting and lighting controls retrofit.
  - Envelope improvement.





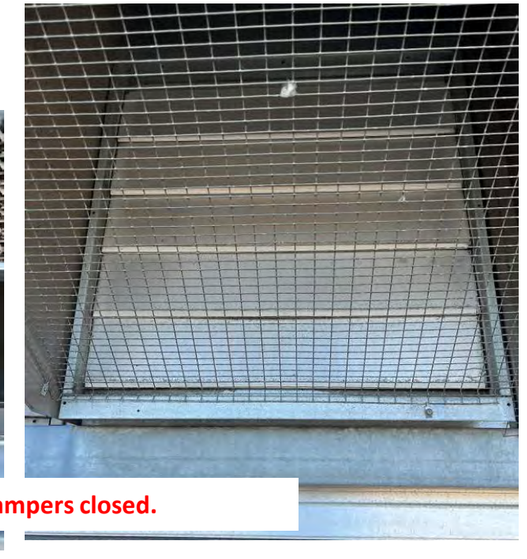


Findings so far:

- Auburn Public Library Needs
  - Replace RTU-1, -2, -3, -4.
  - Install new controls.
  - Repair leaks in chilled water piping.
  - Add hydronic heating elements in cold spaces.
  - Lighting and lighting controls retrofit.
  - Envelope improvement.

Electric heaters throughout Library.

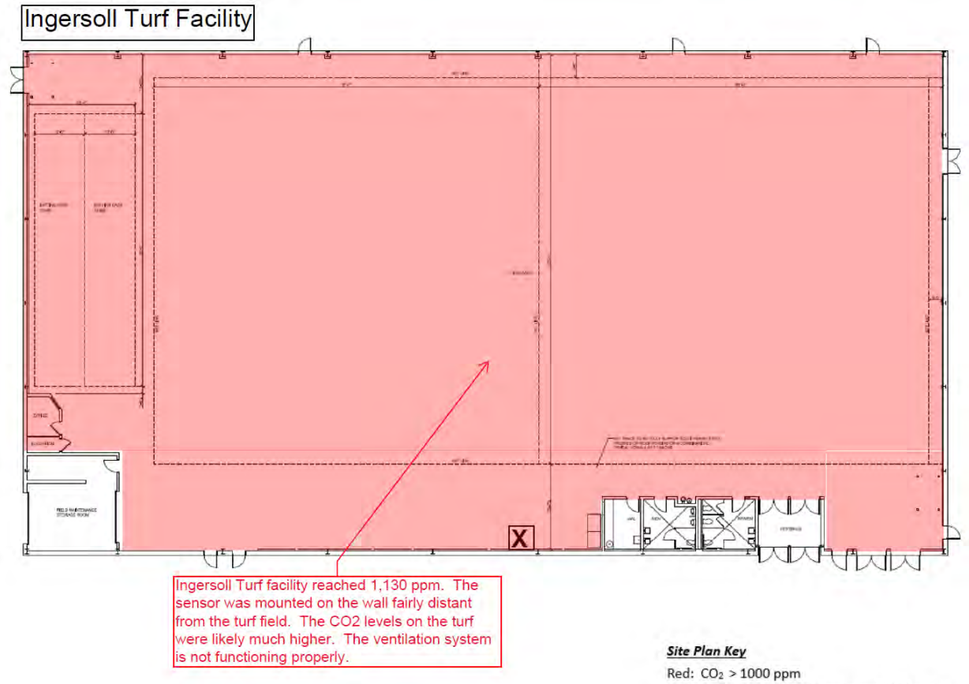
Ventilation air dampers closed.

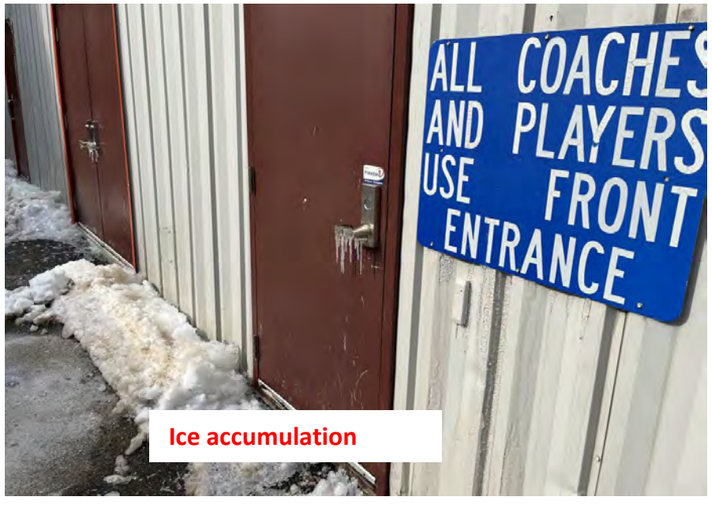


Chilled water leaks.

Findings so far:

- Ingersoll Turf Facility Needs
  - Investigate new roof for added insulation.
  - Add cooling units for summer use.
  - Recommission the ventilation system.
  - Potential lighting retrofit.



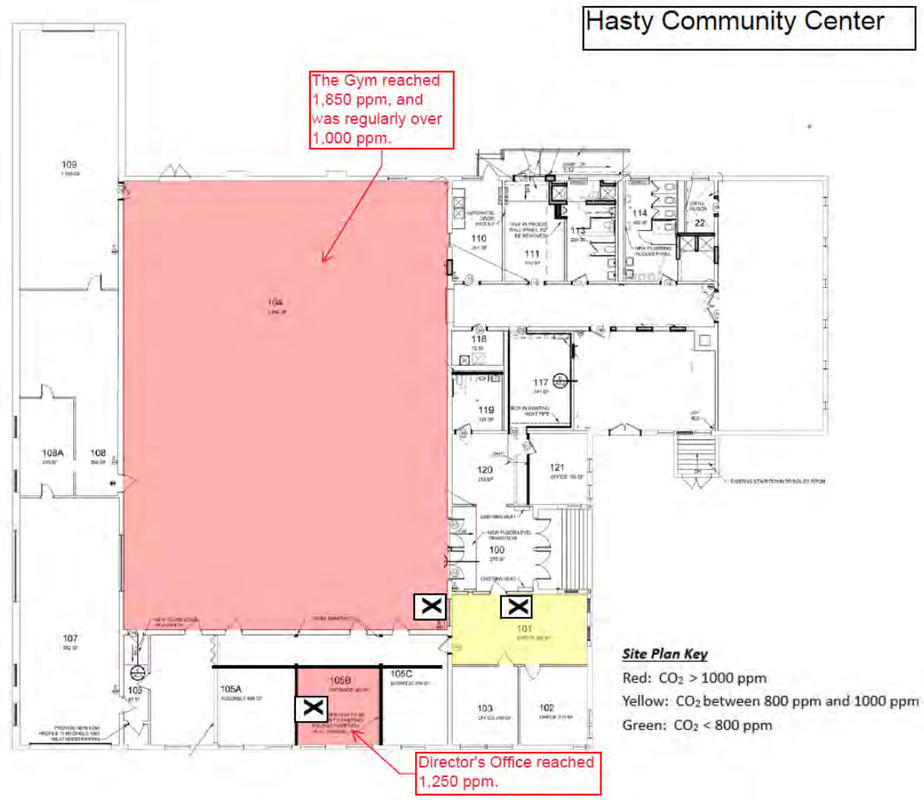


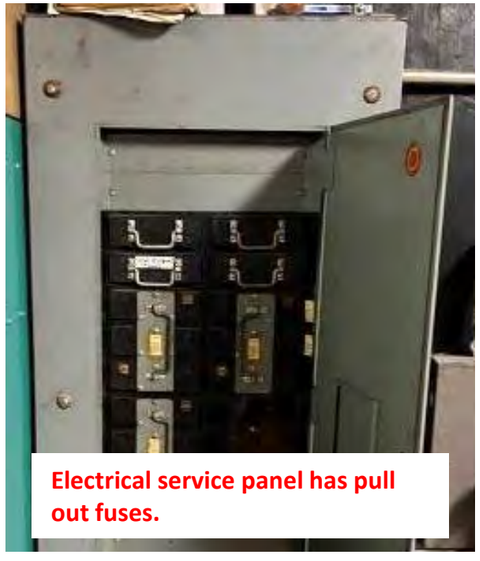
Ice accumulation

Poorly insulated roof causes wet exterior walls and ice accumulation on ground.

Findings so far:

- Hasty Community Center Needs
  - Install new air system to provide ventilation, heating and cooling.
  - Review electrical service capacity.
  - Potential building envelope improvements.
  - Potential lighting retrofit.

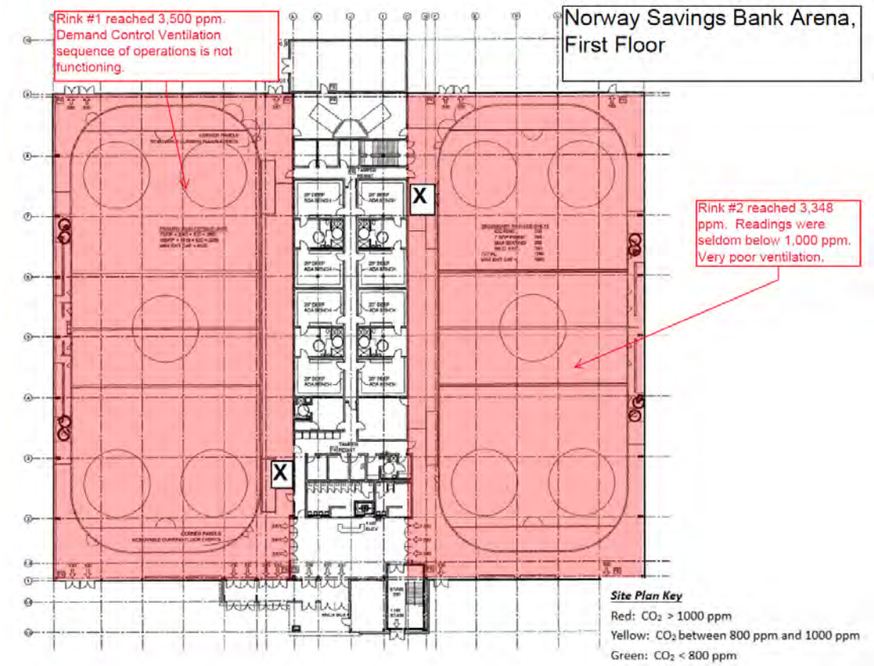


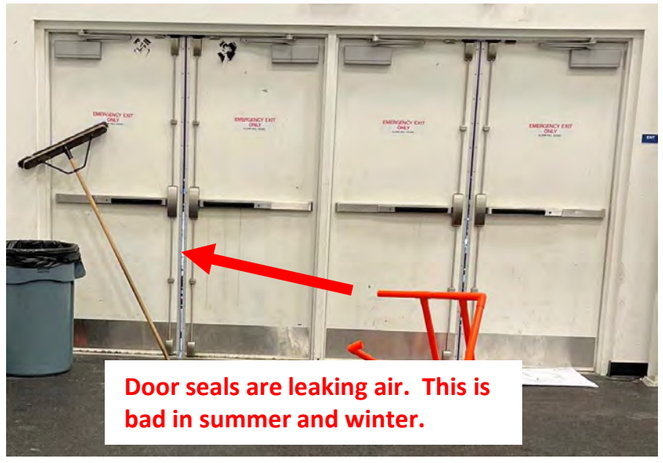

Electrical service panel has pull out fuses.

Hasty boiler is corroding. Some areas of building are not adequately heated.

Findings so far:

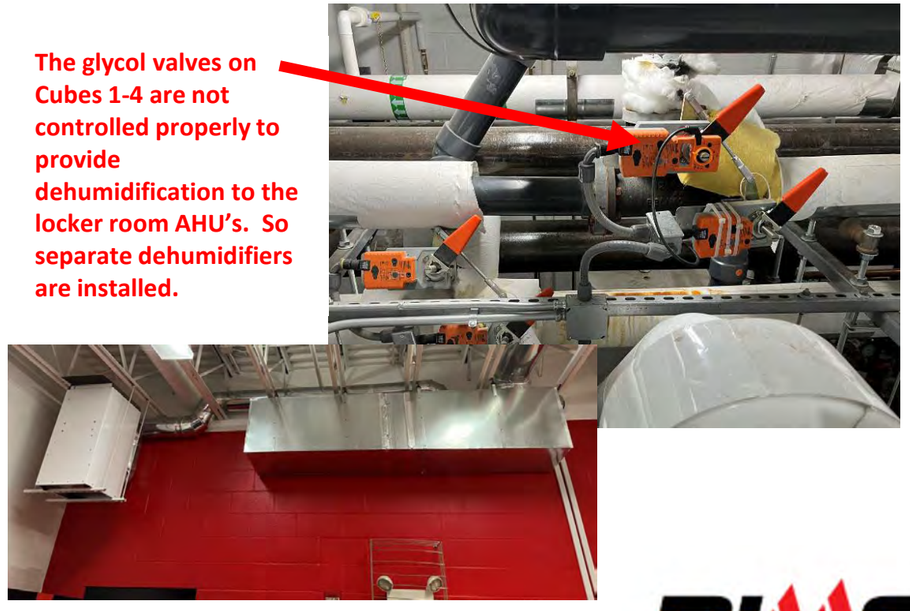
- Norway Savings Bank Arena Needs
  - Recommission the plant and ventilation systems.
  - Install new controls
  - Envelope improvements
  - Potential interior wall insulation





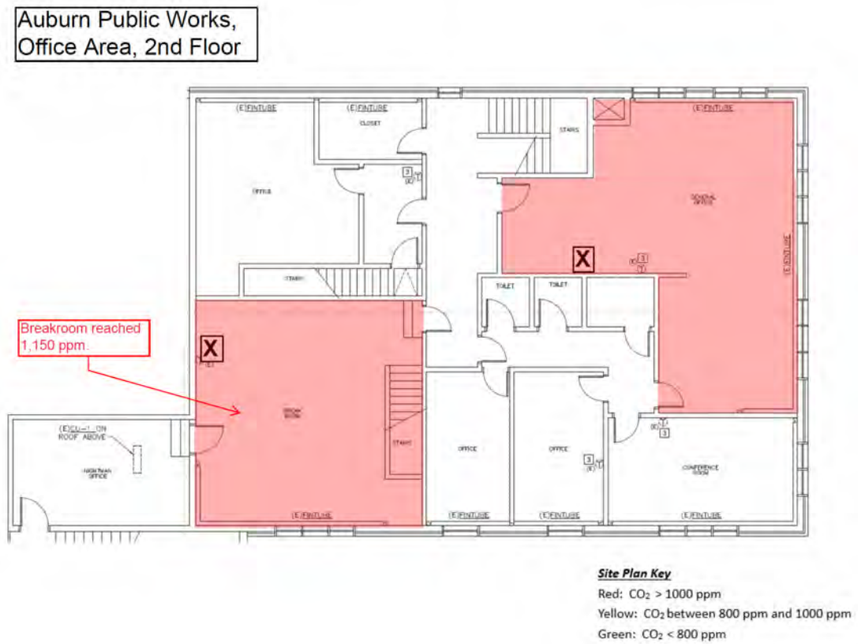
The ice is maintained cold to help ensure the sheet remains viable at the thinner edges as well as thinner areas at the decals.

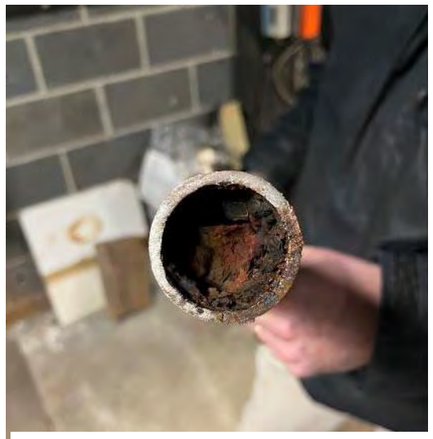
The glycol valves on Cubes 1-4 are not controlled properly to provide dehumidification to the locker room AHU's. So separate dehumidifiers are installed.



Findings so far:

- Auburn Public Works Needs
  - Upgrade or recommission ventilation in 2nd floor offices.
  - Selected piping and terminal unit repair.
  - Separate boiler room from electrical service room.
  - Review envelope and lighting.



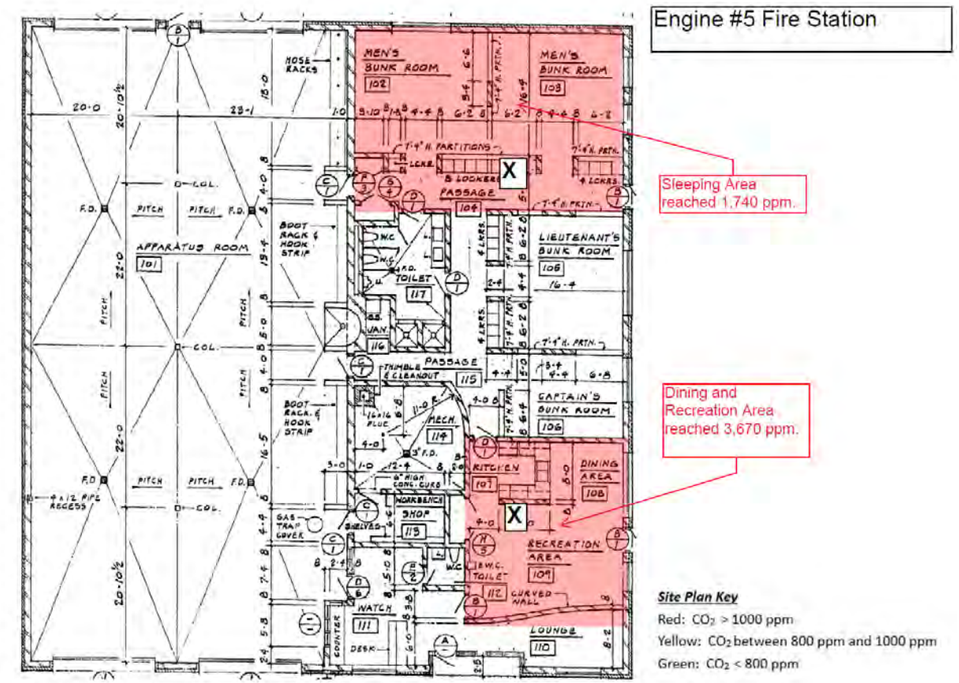


Public Works piping is plugged in some areas and needs selected replacement.

Public Works boiler installed near main electrical gear.

Findings so far:

- Engine 5 Station Needs
  - Install new ventilation and exhaust in Dining and Kitchen area.
  - Install new ventilation in Sleeping rooms.
  - Review envelope and lighting.
  - Review roofing project work.

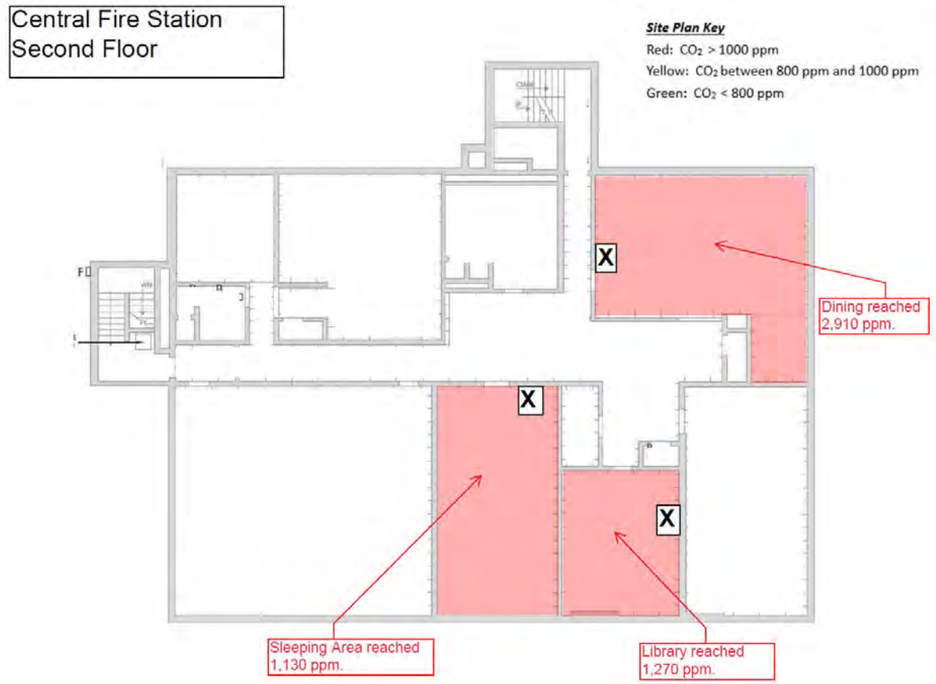


Old, inoperable Unit Ventilator in Dining and Kitchen area needs replacement with modern system.

New Engine 5 boiler installed by MSI.

Findings so far:

- Central Fire Station Needs
  - Install new ventilation and exhaust in Dining, Kitchen and Library area.
  - Install new ventilation in Sleeping rooms.
  - Recommission ventilation in Mezzanine level.
  - Review interface with other project.



AHU serving 2nd floor is inaccessible and is in poor condition.

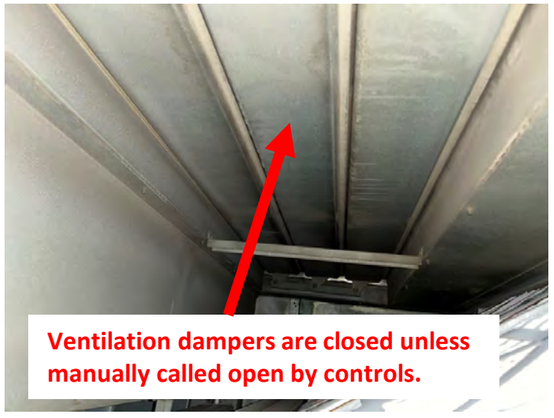
Central Fire Station Boiler.

Findings so far:

- Boys and Girls Club Needs
  - Install new HVAC controls.
  - Replace unit ventilators.
  - Replace air handling unit.
  - Review roof
  - Review building envelope.
  - Review lighting

Boys & Girls Club ventilation air handler fit with hot water F/B coil.

Boys & Girls Club has newer boiler.



Ventilation dampers are closed unless manually called open by controls.

Ventilation controls need manual operation to open outside air dampers.

Next Steps

- What is needed
  - Need utility data
  - Need hazardous material report
  - Discussion of building priority
  - Discussion of potential project elements and design concepts
- Next steps
  - Develop concept plans for investment
  - Select equipment
  - Project budgeting

Project Scenario

AMP TYPE	Asset Management Project Description		Location	Operational Savings	End of Life	Comfort & Safety	Code Compliance	REDUNDANCY	IMPACT TO # OF RESIDENTS
Boiler Plant Upgrades	Installation of two (2) HB Smith 28 HE series – 7 section boilers		City Hall	X	X	X	X	X	X
Heating & Ventilation System Upgrades	Replace roof top Air Handling Unit #1		City Hall	X	X	X	X		X
Heating & Ventilation System Upgrades	Replace Air Handling Unit #2		City Hall	X	X	X	X		X
Heating & Ventilation Control Upgrades	Building Automation System Upgrade/integration		City Hall	X	X	X	X	X	X
Heating & Ventilation Control Upgrades	Commissioning of new equipment		City Hall	X	X	X	X		X
	Installation of chilled water dry cooler		City Hall	X		X	X	X	X
Boiler Plant Upgrades	Boiler Replacement		Library	X	X	X	X	X	X
Heating & Ventilation System Upgrades	Installation of VRV heat pump system, package roof top unit and gas fired unit heaters		Hasty Com.Ctr.	X	X	X	X	X	X
Heating & Ventilation Control Upgrades	Replace locker room exhaust fan and perform control system upgrade		Norway Arena	X	X	X	X		X
Heating & Ventilation Control Upgrades	Install Daikin VRV heat pump system, Energy Recovery Ventilator and Building Controls		Engine 5, Fire St.	X	X	X	X	X	X
Heating & Ventilation System Upgrades	Installation of Air Conditioning		Ingersoll	X		X	X	X	X

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 67-06062022

Author: Rita Beaudry, Grant Manager

Subject: Maine Municipal Association – Legislative Policy Committee

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Information: Any elected or appointed municipal official holding office in any Maine Municipal Association (MMA) member community is eligible to serve on the Legislative Policy Committee. There are two seats on the LPC for each State Senate District. Members serve two-year terms, representing their own community and other municipalities in their Senate District.

The LPC brings elected and appointed officials together from towns and cities across the state. According to its by-laws, the purpose of the LPS is "to define municipal interests and to maximize those interest through effective participation in the legislative process." Operating something like a town meeting, the LPS establishes MMA's public policy positions on all matters of direct and statewide municipal interest for representation in the State House.

MMA's strength as a municipal advocate depends on the active help of a dedicated LPC membership. MMA is seeking nominations from its members to serve on MMA's 2022-2024 Legislative Policy Committee. Senate District 20 is comprised of Auburn, Durham, New Gloucester, and Poland. Auburn appoints 1 LPC Member.

City Budgetary Impacts: None

Staff Recommended Action: City Council vote to nominate City Manager Phil Crowell to MMA's 2022-2024 Legislative Policy Committee.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Nomination Form - MMA Legislative Policy Committee

NOMINATION FORM

Maine Municipal Association's
Legislative Policy Committee
July 2022 to June 2024

Senate District 20 *(Auburn appoints 1 LPC Member)*

Auburn	New Gloucester
Durham	Poland

The municipal officers of AUBURN **hereby nominate:**
Print name of your municipality

Nominee: PHILLIP L. CROWELL, JR
Print name of Nominee

Nominee's municipality: AUBURN **Position:** CITY MANAGER

Date: _____ _____
Signature of Nominator

_____
Print name of Nominator

Consent

I agree to accept the nomination and to serve if elected to the MMA Legislative Policy Committee:

Date: _____ _____
Signature of Nominee

Please return Nomination Form by 5:00 p.m. by Wednesday, June 22, 2022, to:

Laura Ellis - Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Nominations received after 5:00 p.m. on June 22, 2022 will not be counted.

ORDER 67-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby nominates City Manager Phillip L. Crowell, Jr. to Maine Municipal Association's 2022-2024 Legislative Policy Committee.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 68-06062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed date change for the first Regular City Council meeting of July 2022

Information: Recommend changing the first Regular City Council meeting for July from Tuesday, July 5, 2022, to Monday, July 11, 2022.

City Budgetary Impacts: None.

Staff Recommended Action: Approve

Previous Meetings and History: N/A.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 68-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes changing the date of the first regular meeting of the City Council for July from Tuesday, July 5, 2022, to Monday, July 11, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 7, 2021 **Order:** 69-06062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing Wardens and Ward Clerks for the June 14, 2022 Election.

Information:

Warden and Ward Clerk Appointments are normally made every two years, however, there have been vacancies and challenges filling these positions. The City Clerk has nominated the individuals below to fill the Warden and Ward Clerk vacancies for the June 14, 2022 Election.

Audrey Murphy - Warden
Christine Sirois – Ward Clerk
Robert Hayes – Warden
Bonnie Hayes – Ward Clerk
Miles Smith – Warden
Paul Ouellette – Ward Clerk

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Appointments are made every two years or when there is a vacancy.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Order

ORDER 69-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints the following to serve as Wardens & Ward Clerks for the June 14, 2022 Election.

Audrey Murphy - Warden
Christine Sirois – Ward Clerk
Robert Hayes – Warden
Bonnie Hayes – Ward Clerk
Miles Smith – Warden
Paul Ouellette – Ward Clerk

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Orders:** 70-06062022 through 79-06062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Board and Committee Appointments

The Appointment Committee met on May 31, 2022 to review applications and make their nominations for various boards and committees of the City as follows:

Age Friendly Community Committee – Jan Biron, Belinda Gerry, Frank Pippin, Leroy Walker, all re-appointments, all with term expirations of 6/1/2025.

Complete Streets Committee – Heather Barnett, new appointment, term expiration of 1/1/2025.

Lewiston Auburn Transit Committee (LATC) – Tim MacLeod, new appointment, term expiration of 7/1/2024.

Parks & Recreation Advisory Board – Michael Meigs, new appointment, term expiration of 10/01/2023.

Regulatory Advisory Board – Kathy Shaw, re-appointment, term expiration of 6-1-2024.

Sewer District Board of Trustees – Tom Moulin, new appointment, term expiration of 3/1/2024, and Jeff Chute, new appointment, term expiration of 3/1/2026.

City Budgetary Impacts: None

Staff Recommended Action: Motion to appoint members as recommended by the Appointment Committee.

Previous Meetings and History: The Appointment Committee met on May 31, 2022 to make their recommendations.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Vacancies, Application Spreadsheet, Applications, Orders

May 31, 2022
Applicant List

Board or Committee	Ward	Last Name	First Name	Address
Age Friendly Community Committee				
	3	*Biron	Jan	94 Western Avenue
	5	*Gerry	Belinda	143 Mill Street, #100
	1	*Pippin	Frank	36 W. Dartmouth Street
	5	*Walker	Leroy	41 Broad Street
Complete Streets Committee				
	2	Barnett	Heather	25 Dennison Street
Lewiston Auburn Transit Committee				
	2	MacLeod	Timothy	210 Gamage Avenue
Parks & Recreation Advisory Board				
	5	Meigs	Michael	311 Vickery Road
Regulatory Advisory Board				
	5	*Shaw	Kathy	1200 Sopers Mill Road
Sewer District				
	4	Moulin	Thomas	4 Taft Avenue

* Indicates this applicant is seeking re-appointment

** Indicates this person is an associate/alternate member seeking full member status

VACANCIES

Age Friendly Committee - 4 vacancies, term expirations June 1, 2025

Audit Committee - 1 vacancy, term expiration TBD

City Council Student Representative - 2 appointments

Complete Streets Committee - 2 vacancies, term expirations of January 1, 2023, and January 1, 2025

Conservation Commission - 1 vacancy, term expiration June 1, 2024

Lewiston Auburn Transit Committee (LATC) - 1 vacancy with a term expiration of July 1, 2024

Parks & Recreation Advisory Board - 1 vacancy, term expiration October 1, 2023

Registration Appeals Board Chair - 1 vacancy with a 4-year term

Regulatory Advisory Board - 4 vacancies, term expirations are June 1, 2024, and June 1, 2025

Sewer District Board of Trustees - 2 vacancies, term expirations are March 1, 2024, and March 1, 2026

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, May 11, 2022 5:36 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Leroy

Middle Initial: G

Last Name: Walker

Residence Address: 41 Broad Street

Ward: Ward 5

City: Auburn

Home Phone: 2075772694

Cell Phone: 2075772694

E-mail Address: lwalker@auburnmaine.gov

Current Occupation: Retired

Previous Occupation (if retired or no longer working): 40 years as Parks Superintendent of Auburn

Education and/or experience: 40 years as Parks Superintendent

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Age-Friendly Community Committee

OTHER (Ad-Hoc Committees not on the list above):: No

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am currently the chair of the Age-Friendly Committee and would like to continue to serve.

What do you hope to accomplish?: We have many projects that we have started and I would like to see them through to completion.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: 911, Auburn Waste, City Council, Ward 5

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: 911, Auburn Waste, City Council, Age-Friendly

Dates served (if known): City Council, 11 years, Age-Friendly 4 years

How did you learn of this vacancy?: Email, My term is expiring

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Leroy G. Walker, Sr.

Date of Electronic Signature: May 11, 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, May 11, 2022 5:27 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Jan

Middle Initial: L

Last Name: Biron

Residence Address: 94 Western Avenue

Ward: Ward 3

City: Auburn

Home Phone: 2075761535

Cell Phone: 2075761535

E-mail Address: janbiron94@gmail.com

Current Occupation: Reti

Previous Occupation (if retired or no longer working): Retired

Education and/or experience: 35 years with the Auburn Recreation Department

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Age-Friendly Community Committee

OTHER (Ad-Hoc Committees not on the list above):: None

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am currently the secretary of the committee and would be honored to continue to serve.

What do you hope to accomplish?: I would like to continue to be involved with all of the programs we have started, including eliminating food insecurity for seniors.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Age-Friendly

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known): 2018 to present

How did you learn of this vacancy?: My term is expiring

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Jan Biron

Date of Electronic Signature: May 11, 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Tuesday, May 10, 2022 11:46 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Belinda

Middle Initial: A.

Last Name: Gerry

Residence Address: 143 Mill St., Apt. 100

Ward: Ward 5

City: Auburn, ME 04210

Home Phone: 12077848458

Cell Phone: 12076894316

E-mail Address: politicsme@aol.com

Current Occupation: Auburn City Councilor, At-large, ME Notary

Previous Occupation (if retired or no longer working):

Education and/or experience: High school GED, Some college elective courses, Over 40 years working with Senior Citizens as well as Community projects. I also delivered meals to seniors when the city started its Grab and Go program and continue to deliver groceries weekly

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Age-Friendly Community Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I would like to continue to serve on this committee and work to find ways to meet the needs of Auburn's seniors whether to help cook meals or light lunchesl , work with fellow board members to put on events that are senior oriented, to continue to be their voice and represent their interest in other city events, work with the city planners to make sure that those with mobility issues can get around in our city and participate whenever they choose to no matter their disability or age.

What do you hope to accomplish?: I would like to accomplish getting the word out about our Age Friendly committee, expand the current activities we are now doing, to be able to develop new programs geared to meet seniors needs and

interests. To help everyone that attends these functions feel that they welcomed and not an outsider... To help them to be able to participate freely without reservation or hesitation, no matter their physical capabilities and or age.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: I am currently serving as an Auburn City Councilor

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: CDBG Advisory Committee, Lewiston Auburn Transit, Auburn Housing

Dates served (if known): Through out my years on the City Council

How did you learn of this vacancy?: From Sue our City Clerk... She let us know that our term of serving is due to expire and asked us to fill out this form for reappointment.

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Belinda A Gerry

Date of Electronic Signature: 05-10-22

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Tuesday, May 10, 2022 9:15 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Frank

Middle Initial:

Last Name: Pippin

Residence Address: 36 West Dartmouth Street

Ward: Ward 1

City: Auburn

Home Phone: 12077863412

Cell Phone: 12072128540

E-mail Address: fpippin@roadrunner.com

Current Occupation: retired

Previous Occupation (if retired or no longer working): parts tech Walmart Transportion

Education and/or experience: GED many computer skills

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Age-Friendly Community Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): to help Leroy Walker with the great work he has done with all the groups.

What do you hope to accomplish?: To help make things easy for the Community.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Age Friendly Community

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Yes Age Friendly Community

Dates served (if known): From start up till now.

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Frank Pippin

Date of Electronic Signature: 10 May 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, February 17, 2022 12:12 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Heather

Middle Initial:

Last Name: Barnett

Residence Address: 25 Dennison St

Ward: Ward 2

City: Auburn

Home Phone: 2072123195

Cell Phone: 2072123195

E-mail Address: hl.maxim.barnett@gmail.com

Current Occupation: Customer service - Geiger

Previous Occupation (if retired or no longer working): Store Manager - Kohls

Education and/or experience: Associates degree in business. Considering a bachelors in public administration

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Complete Streets Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I believe in participating and improving my community. This committee speaks to me because safe, improved streets could provide easier access to good jobs, providing alternative transportation options, and ensuring the streets are safe for the community?s children that walk/bike to school.

What do you hope to accomplish?: I would like to be a part of the solutions to improve and beautify our city, leading to improved overall wellness of our community.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Heather Barnett

Date of Electronic Signature: 02/17/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, May 16, 2022 12:39 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Tim

Middle Initial:

Last Name: MacLeod

Residence Address: 210 gamage Ave

Ward: Ward 2

City: Auburn

Home Phone: 207-754-8328

Cell Phone: 207-754-8328

E-mail Address: tim@timmacleod.com

Current Occupation: analyst

Previous Occupation (if retired or no longer working):

Education and/or experience: served on LATC, Bachelors in Business Administration

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: L/A Transit Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I would like to continue to help shape the local transit district

What do you hope to accomplish?: I aim to push electric buses and infrastructure, routes that work for Auburn, and on-demand transit. The current system is not sustainable. I feel we are in a position that we can reimage the transit system to better encompass the goals of the city and its citizens. I want transit to be the cheapest, easiest option to encourage fewer cars and increase ridership.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Sustainability Workgroup

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Not as a citizen

Dates served (if known): 2020-2021 on LATC

How did you learn of this vacancy?: Website / Staff

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Timothy B MacLeod

Date of Electronic Signature: 5/16/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Friday, March 18, 2022 2:34 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Michael

Middle Initial:

Last Name: Meigs

Residence Address: 311 Vickery Road

Ward: Ward 4

City: Auburn

Home Phone: 2075044047

Cell Phone: 2075044047

E-mail Address: leggomeggo1@gmail.com

Current Occupation: Unemployed

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelor's, Graduate school certificate, business

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Parks & Recreation Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I would like to learn more about how local government works and the process of policy change. In turn, I will gain the understanding of what is important to the local residents and what is a waste. I would also like to learn about how much the rules, procedures, and policies impact Auburn residents both in a positive and negative lens. By doing so, I hope to make more of a positive impact for the people.

What do you hope to accomplish?: Improve the lives of the people of Auburn by listening to the concerns of they have about how things are being done and what would be beneficial changes.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Auburn Website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Michael Meigs

Date of Electronic Signature: 3/18/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Tuesday, May 10, 2022 3:26 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: KATHY

Middle Initial: A

Last Name: Shaw

Residence Address: 1200 Sopers mill road

Ward: Ward 5

City: Auburn

Home Phone: 207-320-1969

Cell Phone: 207-320-1969

E-mail Address: Kath@valleyviewfarm.me

Current Occupation: Farmer, landscape gardener

Previous Occupation (if retired or no longer working):

Education and/or experience: College,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Regulatory Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am intrigued by process and wish to understand more or what the regulatory board is and how and why it will function

What do you hope to accomplish?: Maybe to have 1 meeting of the regulatory board

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Ag committee, and now the natural resources working group

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Ag committee

Dates served (if known):

How did you learn of this vacancy?: Re -apply

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Kathy shaw

Date of Electronic Signature: May 10, 2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, March 16, 2022 4:49 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Jeff

Middle Initial: R

Last Name: Chute

Residence Address: 72 woodlawn ave

Ward: Ward 2

City: Auburn

Home Phone: 12072123304

Cell Phone: 2072123304

E-mail Address: jchute@androscoggincountymaine.gov

Current Occupation: Administrator

Previous Occupation (if retired or no longer working):

Education and/or experience: 14 yrs

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: ~~Water District~~ Sewer

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): Get involved in my community.

What do you hope to accomplish?: Making the right choices for Auburn and its residents.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: no

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: no

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Jeff R Chute

Date of Electronic Signature: 03/16/2022

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 3/28/22

Last name: Moulin First name: Thomas Middle initial: R

Residence address: 4 Taft Ave Ward: _____

City: Auburn State: ME Zip code: 04210

Home phone: 207 784 9730 Work phone: 320 8532 Cell phone: 320 8532

Email address: TRMoulin@Hotmail.com

Current occupation: Retired

Previous occupation (if retired or no longer working): Locksmithing Safe tech

Educational and/or experience (or attach your resume): EL-64 + SMOTI-83+ Locksmith Institute 764 Locksmithing 71

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Water District
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Ethics Panel
___ L/A Transit Committee
___ Poland-Auburn Economic Development Committee
✓ Sewer District
___ Zoning Board of Appeals

Is this application for a V new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I was Employed as a ~~Eight~~ Fire Fighter 1970 To 1995 Still very interested in our city.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). Would like The Sewar district To Continue its Sound Work Ethic's & Procedures.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? NO

Dates served (if known)? _____

Have you previously served on a City or Community Board or Committee? If so, which one(s)? NO

Dates served (if known)? NO

How did you learn of this vacancy? TRA, Fortier

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.
Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!
I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.
Signature: Tom Moulin Date: 3/28/22

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 3/28/2022
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

ORDER 70-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Jan Biron to the Age Friendly Community Committee with a term expiration of 6-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 71-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Belinda Gerry to the Age Friendly Community Committee with a term expiration of 6-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 72-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Frank Pippin to the Age Friendly Community Committee with a term expiration of 6-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 73-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Leroy Walker to the Age Friendly Community Committee with a term expiration of 6-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 74-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Heather Barnett to the Complete Streets Committee with a term expiration of 1-1-2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 75-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Tim MacLeod to the Lewiston Auburn Transit Committee (LATC) with a term expiration of 7-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 76-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Michael Meigs to the Parks & Recreation Advisory Board with a term expiration of 10-1-2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 77-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Kathy Shaw to the Regulatory Advisory Board with a term expiration of 6-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 78-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Tom Moulin to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 79-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Jeff Chute to the Auburn Sewer District Board of Trustees with a term expiration of 3-1-2026.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Meeting Date: June 6, 2022 **Order:** 80-06062022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Shawn Estabrook

Information:

In December 2021 members of the Auburn Police Department completed a drug investigation and subsequent arrest of Richard Lambert. Members of the Auburn Police Department received information regarding suspected drug trafficking at 34 Flanders Street in Auburn

Throughout 2021 Detective Gagnon received information that drugs were being sold out of 34 Flanders Street. On December 22, 2021 the subsequent investigation lead to a search warrant being executed at 34 Flanders Street. During the search several different quantities of crack cocaine, powder cocaine, heroin, crystal methamphetamine and prescription pills were seized along with $4,637.00 in suspected drug proceeds.

Lambert was arrested for Unlawful Trafficking of Scheduled Drugs T17-A Sec. 1103-A.1.A

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer $4,637.00U.S. Currency to the Auburn Police Department. Funds will be used for ongoing K-9 expenses.

Staff Recommended Action: Vote to accept the transfer of $4,637.00.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

*None

Auburn Police Department

Jason D. Moen | Chief of Police
Timothy A. Cougle | Deputy Chief of Police
www.AuburnPD.com | 207.333.6650
60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: May 25, 2022

To: Chief Jason Moen

From: Lt. Barry Schmieks

RE: CITY COUNCIL TRANSFER OF FORFEITURE ASSET- RICHARD LAMBERT

In December 2021 members of the Auburn Police Department completed a drug investigation and subsequent arrest of Richard Lambert. Members of the Auburn Police Department received information regarding suspected drug trafficking at 34 Flanders Street in Auburn

Throughout 2021 Detective Gagnon received information that drugs were being sold out of 34 Flanders Street. On December 22, 2021 the subsequent investigation lead to a search warrant being executed at 34 Flanders Street. During the search several different quantities of crack cocaine, powder cocaine, heroin, crystal methamphetamine and prescription pills were seized along with $4,637.00 in suspected drug proceeds.

Lambert was arrested for Unlawful Trafficking of Scheduled Drugs T17-A Sec. 1103-A.1.A.

ORDER 80-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of $4,637 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-2809).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Meeting Date: June 6, 2022 **Order:** 81-06062022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Eric Greenwood

Information:

In January 2022, Auburn Police Department Personnel conducted a drug trafficking investigation. While investigating the complaint probable cause developed to arrest Eric Greenwood for Aggravated Trafficking a Schedule "W" Drug and Six (6) counts of Unlawful Possession of Schedule Drugs. During the course of the investigation 11.69 grams of fentanyl, .54 grams of methamphetamines, 1 gram of crack cocaine, 10 morphine pills, 11 hydrocodone pills and 16 ritalin pills were located in Eric Greenwood's possession. Additionally $1,321.00 in cash, suspected drug profit, was located.

Greenwood was arrested for Aggravated Trafficking of a Scheduled Drug (Class A) and Six (6) counts of Unlawful Possession of Schedule Drugs.

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer $1,321.00U.S. Currency to the Auburn Police Department. Funds will be used for ongoing K-9 expenses.

Staff Recommended Action: Vote to accept the transfer of $1,321.00.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
*None

Auburn Police Department

Jason D. Moen | Chief of Police
Timothy A. Cougle | Deputy Chief of Police
www.AuburnPD.com | 207.333.6650
60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: May 25, 2022

To: Chief Jason Moen

From: Lt. Barry Schmieks

RE: CITY COUNCIL TRANSFER OF FORFEITURE ASSET- ERIC GREENWOOD

In January 2022, Auburn Police Department Personnel conducted a drug trafficking investigation. While investigating the complaint probable cause developed to arrest Eric Greenwood for Aggravated Trafficking a Schedule "W" Drug and Six (6) counts of Unlawful Possession of Schedule Drugs. During the course of the investigation 11.69 grams of fentanyl, .54 grams of methamphetamines, 1 gram of crack cocaine, 10 morphine pills, 11 hydrocodone pills and 16 ritalin pills were located in Eric Greenwood's possession. Additionally $1,321.00 in cash, suspected drug profit, was located.

Greenwood was arrested for Aggravated Trafficking of a Scheduled Drug (Class A) and Six (6) counts of Unlawful Possession of Schedule Drugs.

ORDER 81-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of $1,321 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-150).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Meeting Date: June 6, 2022 **Order:** 82-06062022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Nicholas Blake

Information:

In June 2021 Detective Nicholas Gagnon completed a drug investigation and subsequent arrest of Nicholas Blake. Members of the Auburn Police Department developed information regarding suspected drug trafficking at 163 Broad Street in Auburn

Det. Gagnon and Officer Tyler Ham went to 163 Broad Street. Det. Gagnon could see into the apartment and observed Nicholas Blake sitting at the kitchen table with a small pile of brown powder in front of him. IT was clear to Det. Gagnon that Nicholas was weighing Heroin. He knocked on the door and all occupants began to run out the back. With officers on scene, they were able to place everyone in custody while the investigation took place. Det. Gagnon subsequently located 1.5 Grams of Cocaine base, .5 Grams of Heroin and $1075.00 in suspected drug proceeds. All of the items were seized, and Blake was arrested.

Estabrook was arrested for Aggravated Trafficking of Scheduled "W" Drugs T17-A Sec. 1105-A.1.H. (CLASS A).

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer $1,075.00U.S. Currency to the Auburn Police Department. Funds will be used for ongoing K-9 expenses.

Staff Recommended Action: Vote to accept the transfer of $1,075.00.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
*None

Auburn Police Department

Jason D. Moen | Chief of Police
Timothy A. Cougle | Deputy Chief of Police
www.AuburnPD.com | 207.333.6650
60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: May 25, 2022

To: Chief Jason Moen

From: Lt. Barry Schmieks

RE: CITY COUNCIL TRANSFER OF FORFEITURE ASSET- NICHOLAS BLAKE

In June 2021 Detective Nicholas Gagnon completed a drug investigation and subsequent arrest of Nicholas Blake. Members of the Auburn Police Department developed information regarding suspected drug trafficking at 163 Broad Street in Auburn

Det. Gagnon and Officer Tyler Ham went to 163 Broad Street. Det. Gagnon could see into the apartment and observed Nicholas Blake sitting at the kitchen table with a small pile of brown powder in front of him. IT was clear to Det. Gagnon that Nicholas was weighing Heroin. He knocked on the door and all occupants began to run out the back. With officers on scene they were able to place everyone in custody while the investigation took place. Det. Gagnon subsequently located 1.5 Grams of Cocaine base, .5 Grams of Heroin and $1075.00 in suspected drug proceeds. All of the items were seized and Blake was arrested.

Estabrook was arrested for Aggravated Trafficking of Scheduled "W" Drugs T17-A Sec. 1105-A.1.H. (CLASS A).

ORDER 82-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of $1,075 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-342).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

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

1. **Order 61-05162022***
Authorizing the City Clerk to waive the $200 business license fee for Auburn Suburban Baseball and Softball.

2. **Order 62-05162022***
Confirming Chief Moen's appointment of Sergio Martins as a Constable with firearm for the Auburn Police Department.

3. **Order 63-05162022***
Setting the date to hold the School Budget Validation Referendum Election for June 14, 2022.

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

Passage 7-0.

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

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

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

IV. Open Session

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

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

V. Unfinished Business

1. Ordinance 15-05022022

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

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

Public comment – No one from the public spoke.

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

2. Order 56-05022022

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

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

Public comment – No one from the public spoke.

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

3. Order 57-05022022

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

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

Public hearing – No one from the public spoke.

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

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

Passage 6-1 (Councilor Gerry opposed).

Order 64-05162022
Adopting the FY 2023 Auburn School Budget.

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

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

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

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

4. **Resolve 03-05022022**
Adopting the Appropriations Resolve for Fiscal Year 2023. Second reading.

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

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

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

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

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

Passage 6-1 (Councilor Morin opposed).

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

VI. New Business

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

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

1. **Order 65-05162022**
Directing the City Manager to issue a design/build footbridge from Newbury Street to Anniversary Park.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session

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

VIII. Reports

Jill Eastman, Finance Director – April 2022 Final Monthly Report

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

Passage 7-0.

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

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

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

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

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

Passage 7-0.

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn, Maine
Planning and Permitting Department
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council

From: Eric J. Cousens, Planning and Permitting Director

Re: Hydropower, Rivers and Dams Update June 6, 2022, Council Meeting

Date: June 6, 2022, Council Meeting

Lewiston Auburn Riverfest

The Riverfest, sponsored by the Lewiston Auburn Metropolitan Chamber of Commerce, is scheduled for Friday June 17th and Saturday June 18th and has something to offer for everyone. Last year's event was well attended and a great success. This year offers a kickball tournament, Trek Across Maine welcome, Rowing Regatta, canoe rentals, Beer Garden and Food Trucks.

For a full schedule see the website: **https://discoverlamaine.com/the-riverfest/**

Lewiston Falls Monty Hydro Licensing Update

The Federal Energy Regulatory Commission licenses hydropower facilities. The city may participate and comment on a proposed license as a stakeholder, much like a resident participates in a Planning Board process at a public hearing. We only get a chance to comment on a license renewal every 30 to 50 years so it is important that we advocate for compatibility and even contribution to accomplishing community goals in exchange for using the public's river for private power generating revenues. The FERC process requires the applicant to address fisheries, recreation, water quality and other potential impacts of their operation with equal consideration compared to power generation. Documents related to current and past licensing processes are available here: https://www.auburnmaine.gov/pages/government/rivers-hydropower .

We updated the Council in December of 2021 to start to familiarize you with the current relicensing of the Lewiston Falls Monty Hydro Project (FERC P-2302) in preparation for future discussions. The relicensing process has begun for the Lewiston Falls/Monty Hydro Facility on the main stem of the Androscoggin in anticipation of the expiration of the existing license in 2026. Our Comprehensive Plan, Strategic Plan, New Auburn Master Plan, the Androscoggin Greenway Plan and ATRC Bridging the Gaps Bicycle and Pedestrian Plans give staff substantive direction and support to advocate for needs, improvements and studies to identify the best way to meet identified needs to mitigate impacts of project operations on the community. The Pre-Application Document (PAD) has been filed and is available here: https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20210804-5115 . Despite advocacy for a more inclusive *Integrated Licensing Process*, (TLP Objection and ILP Request.pdf) the request for Traditional Licensing Process was approved by FERC for this relicensing and an initial stakeholder meeting was held ahead of schedule (Table 2-1, Page 41 of the linked PAD) in November. The city along with other stakeholders asked for recreational, aesthetic, cultural, hydro-facility operational and river flow related studies to ensure that we have the information needed to advocate for mitigation of facility impacts and needs of the community at future stages

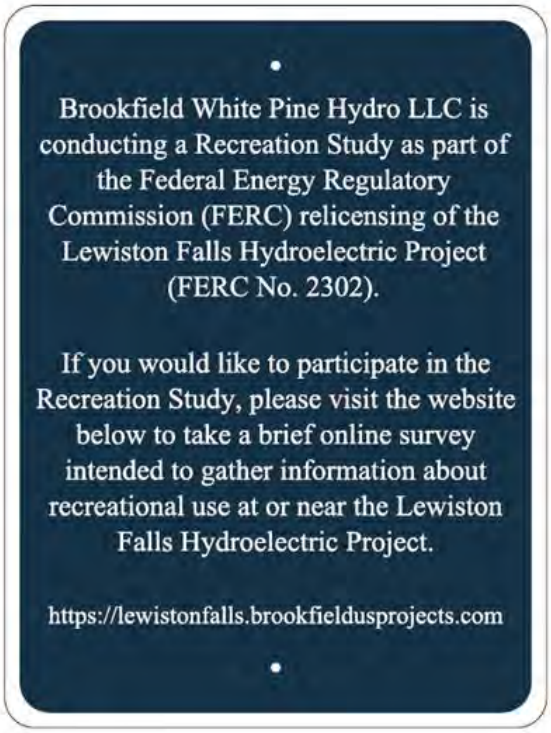
of the process. We submitted study requests with stakeholders, including the City of Lewiston and at least 6 other stakeholder groups, to best advocate for Auburn's needs in December of 2021 (Study Requests12.31.21). Past licensing processes have been more successful when there is coordination and agreement on study needs, rather than conflicting requests from multiple stakeholders. There will be public meetings and feedback needed from City Council, Committees and potentially legal counsel in the coming few years as we work with Brookfield and FERC on this important 40-year relicensing.

At this stage we have submitted comments on a Preapplication Document, preferred licensing process and a Draft Study Plan (StudyPlanComments31822.pdf) . A Final study Plan was proposed by Brookfield and they have begun the 2022 study season P2302FinalStudyPlan.pdf . Many agencies focused on different aspects of project operations and their impacts on the environment participate in the process. While the City has been supportive of studies requested by Maine DEP, NOAA Fisheries (NOAA Comments.pdf and Maine IFW related to water quality and fisheries improvement our focus has been on recreation, aesthetics of the falls and access for the public. Water quality, historic resources and fisheries are important to the City's overall recreational goals, but State and Federal Agencies are well equipped to for strong participation on those elements and we have collaborated with them.

The Final Study Plan (P2302FinalStudyPlan.pdf) covers almost all recreational elements requested for the main stem of the river-See pages 58-67 of the plan. The primary shortcomings relate to water quality monitoring in the Lewiston owned Canals and specific analysis of how water over the falls affects water quality and dissolved oxygen below the falls. The second part of that will have data available from the proposed water quality monitoring and we will continue to advocate for the analysis of how flows over the falls affect dissolved oxygen as part of the process, but it is currently not proposed. A primary shortcoming of the study plans is not including the canals in the study based on the argument that they are owned by Lewiston and not part of the project area mapped by FERC. In 2020 the project area was adjusted to remove nearly 4 miles of river and the canals from the FERC Project Boundary which the City opposed (Objection to P2302 Project Boundary Amendment 2020.pdf) but was ultimately approved by FERC. The ownership and FERC project Boundary test for inclusion in studies is not usually what determines if they are included. The test is whether the project operations impact the area, which they clearly do. Brookfield controls flows at this facility and at the upstream Gulf Island and Deer Rips hydro facilities and those three operations control water levels and flows in the canals that we believe are clearly affected by project operations. This raises a question of whether Auburn wants to advocate among stakeholders to exercise the FERC Study Dispute Process or take that on ourselves - either way we would need legal assistance and funding to do that. We are looking for preliminary feedback from Council on whether you wish to explore this further in an executive session. Staff's opinion is that we got most of what we asked for and would be happy to join Lewiston if they chose to challenge this important element, but that fight may not be our best use of limited resources.

The 2022 Study season is upon us, and Memorial Day Weekend will be the start of recreational monitoring and a survey for recreational users along the river in Auburn and Lewiston. We will be encouraging people who visit the area to take the time to fill out the survey. The results will be used to gauge recreational interest, benefits and

needs for the project area and nearby amenities affected by project operations. Signage has been placed along the Riverwalk and other project recreation facilities to alert the public of the existence of the survey and in person counts will be conducted by Brookfield staff throughout the summer. The website hosting the survey is here: https://lewistonfalls.brookfieldusprojects.com/ Results are intended to be collected based on specific locations visited and not from people that were there in the past so please encourage anyone visiting the riverfront area to check out the signs at Bonney Park, West Pitch Park, the North River Road Boat Launch, Durham Boat Launch or riverside parks and trails in Lewiston and provide feedback for each location that they enjoy or desire improvements. We will promote awareness of the effort on social media and any other opportunities.



Little Androscoggin River Dams - Recreation and Restoration Opportunities

Barker Mill Dams Update: The City participated, with other stakeholders, in the relicensing process at Lower and Upper Barker Mill Dams which are relatively small generators with limited profits. We achieved recreational benefits including increased minimum flows and controlled releases for whitewater paddling. The licensee looks very close to a settlement agreement to resolve a dispute over fish passage where the applicant used upstream obstructions as one reason not to restore fish access in the watershed. It looks like fish passage will be required during the terms of the new licenses and in exchange KEI will likely get a longer than normal license term of up to 45 years. Not many people that were here for this licensing process will be active participants in the next one. The proposed Settlement agreement would require KEI to install upstream passage for American eel for the 2026 migration season (June 1, 2026) and required to install upstream passage for anadromous fish species by the 2031 migration season (May 1, 2031), subject to a consideration of "New Information" as defined in the Settlement.

Littlefield Dam Update: The Littlefield Dam is the next obstruction upstream that impacts recreation, the environment and fish movement in the river. Past efforts to apply for grants to remove the unused partially breached dam have not been funded and required significant local match. There is a potential new opportunity in the coming years that has been explored by the Conservation Commission and Federal Grant Funding Sources that could go beyond restoration and include development of improved recreational access that furthers goals of the Comprehensive and Strategic Plans of the City. The anticipated funding sources may also be match free with the Little Androscoggin being identified as critical Atlantic Salmon Habitat. Sam Boss, Conservation Commission Chair explains this exciting opportunity below. Staff is hopeful that the City might be able to fund a planning and design exercise to position us for successful application when the funding becomes available. One option is to appropriate Comprehensive Plan Implementation funds if the Council is interested in this.

City Council, Mayor, and City Staff,

The Conservation Working Group has a longstanding interest in the removal of the defunct Littlefield Dam, which is a major barrier to fish passage on the Little Androscoggin River. Earlier this year we learned of an upcoming opportunity to apply for federal funds to support dam removals and other fish passage restoration efforts. The 2021 Infrastructure and Jobs Act allocated $400 million to the National Oceanic and Atmospheric Association (NOAA) to restore fish passage through the removal of dams and other barriers (further

information here). NOAA will award $80 million in grants for each of the next five years to support communities in undertaking river restoration efforts. Although a request for proposals has not yet been released, our contacts at NOAA have confirmed that the grants *will not* require a matching contribution from municipalities to support the costs of projects. Partner organizations such as Maine Rivers, the Androscoggin Watershed Council, and Trout Unlimited have described this funding and the lack of a matching requirement as a once-in-a-lifetime opportunity to make significant progress with river restoration efforts.

Because of the expected terms of the NOAA grants, we anticipate that the process will be highly competitive, and we have been working to lay the groundwork for a strong proposal when funds are released. Although some funding will be available to support the planning stages of dam removal and subsequent restoration efforts, we expect that shovel ready projects will have the best chance of receiving full funding. To this end, it would aid the development of a proposal significantly if the Council can provide funding to support further site assessments and planning. We have led multiple site visits, and have been in consistent conversation with local stakeholders including property owners on Littlefield Road and Panolam Surface Systems. Our goal is to identify scenarios for removing the dam that maximize ecological and recreational benefits to the broader community while minimizing any negative impacts for abutting property owners.

Outlined below are several key reasons to support the removal of the Littlefield Dam and further restoration efforts in the Little Androscoggin watershed.

1. **Improved fish passage and other ecological benefits**

   The Littlefield Dam is a full or partial barrier to fish passage, depending on the time of year and water levels. Removing the Littlefield Dam would help to pave the way for further efforts to restore fish species including alewives, shad, and American Eels to the Androscoggin watershed. These species need to travel freely from the ocean into freshwater rivers to spawn. Alewives in particular are a keystone species that provide a particularly important food source for the endangered Atlantic Salmon, as well as several other fish species (further information here). Removal of the Littlefield Dam will demonstrate our commitment to improving fish passage and strengthen our position in future negotiations for fish passage on the Lower and Upper Barker Dams. In addition to improving fish passage, dam removal improves dissolved oxygen content and sediment transfer, leading to healthier riverine ecosystems.

2. **Avoid potential safety issues**

   The Littlefield Dam has not been operational for at least fifty years, and there is no indication it has received regular maintenance in that time; FERC records indicate the most recent effort to restore the dam to production was in the 1980s, but that effort ultimately failed. During site visits when the water levels have been lower, we have observed significant corrosion of the bottom of the dam; high precipitation events or ice jams could eventually cause the dam to break in an uncontrolled way that would send concrete debris and sediment downriver and pose potential hazards to property owners and industries downriver. The dam can also present risks to swimmers, hikers, etc. who may go too close to the dam and not realize the dangers of its undertow. Taking full advantage of NOAA funds now to remove the dam in a controlled way will avoid the potential safety issues these scenarios could cause in the future.

3. **Improved recreational opportunities**

The Little Androscoggin is an underutilized resource for recreation that runs through the heart of Auburn. Removal of the Littlefield Dam could open up approximately four miles of the river for passage of kayaks and canoes and other small craft, with the potential that more of the river upstream would be navigable, depending on the water levels and time of year. NOAA staff have indicated that applicants should "think big", and submit a proposal that would support not only the removal of the dam, but the creation of possible recreational improvements such as a boat launch at the site, and restoration/modification of the riverbed to facilitate passage of boats and fish.

More information about the points outlined above is available on request (auburn.me.conservation@gmail.com).

Respectfully submitted,

Sam Boss, Chair

Conservation Working Group

WORLD REFUGEE DAY PROCLAMATION

WHEREAS, The World Refugee Day was launched by the United Nation to honor the bravery, strength and determination of refugees fleeing war and persecution; and

WHEREAS, refugees in communities across the welcoming state of Maine resettle in the hope of finding peace and safety for themselves and their families; and

WHEREAS, refugee communities from diverse backgrounds, with a variety of skills, abilities and experiences, have been and continue to be woven in the fabric of Maine's vibrant cultural tapestry throughout our states 200 year history; and

WHEREAS, refugee-led organizations in Maine share in the priority of our state to strengthen communities by engaging with and improving the lives of all Mainers; and

WHEREAS, all of Maine's communities are hoping to stay strong together as we recover from a time of uncertainty, reminiscent of experiences in the diaspora.

NOW, THEREFORE, I, Jason Levesque, Mayor of Auburn, do hereby proclaim June 20, 2022 to be World Refugee Day in Maine and recognize the positive impact and enduring contributions of refugee communities seeking refuge within Maine's borders.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn, Maine to be fixed this 6th day of June 2022.

_____

Jason Levesque, Mayor

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Communication – Liberty Festival Mass Gathering

Information:
The organizers of the Liberty Festival have applied for their Mass Gathering Permit. City Ordinance states the following:

Sec. 14-252. - Clerk's notification to council.
As soon as the city clerk or designee receives an application to hold a mass gathering, the clerk shall give public notice by notifying the city council. Such notification shall appear as a formal communication on the agenda of the next regularly scheduled council meeting.

A Mass Outdoor Gathering is defined by ordinance as any gathering held outdoors with the intent to attract the continued attendance of 1,000 or more persons for two or more hours.

The public hearing and vote will occur at the second City Council meeting in June.

City Budgetary Impacts: $10,000 (Economic Development Budget)

Staff Recommended Action: Acknowledge the communication

Previous Meetings and History: This is a yearly event that has taken place in the Auburn/Lewiston communities for over 20 years.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

Date received: 4/19/22
Date approved: 4/25/22

CITY OF AUBURN
SPECIAL EVENT/MASS GATHERING APPLICATION

Required for any special event on city property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

****

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: 4/16/22

SPONSOR INFORMATION

Name of Sponsoring Organization: Liberty festival

Name of Contact Person for Event: Cathy McDonald

Title of Contact Person: President

Mailing Address: PO Box 97, Lewiston, Me 04240

Daytime Telephone: _____ Cell Phone: 207-212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald / 207-212-8227

Is your organization incorporated as a non-profit organization? Yes ☒ No ☐

Non-Profit Number: 04-3358113

EVENT INFORMATION

Name of Event: Liberty festival

Type of Event (walk, festival, concert, etc.): fireworks

Date of Event: 7/4/22 Rain Date: 7/5/22

Times of Event: Start Time including set-up: 1pm Ending time including clean up: 11pm

Actual Event Start Time: 4pm Actual Event End Time: 10:30pm

Estimated Attendance: 3000

Location of Event: Great Falls Plaza and surrounding area

Have you held an event at this location within the last 12 months? Yes ☒ No ☐

If the location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved?

Yes ☐ No ☒ Pending ☐ Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Not permitted	**CROSS-STREET BANNERS** Please note that the city no longer allows cross-street banners.		X	
Separate fee and permit possible	**FOOD** – Will food or beverages be sold? If yes, list what types of food or beverages: Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	☐	☒	☐
Separate fee and permit possible	**NON-FOOD ITEMS** – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: Note - A peddler permit may be required and must be submitted 14 days prior to the event.	☐	☒	☐
N/A	**LIVE MUSIC** – Will there be any outdoor musical performances? If yes, please describe:	☐	☒	☐
N/A	**SOUND AMPLIFICATION** – Will there be a microphone or speaker system to project sound?	☒	☐	☐
Separate fee and permit possible	**ALCOHOL** – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	☐	☒	☐
Separate fee and Permit required	**CARNIVAL** – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.	☐	☒	☐
Separate fee and Permit required	**FIREWORKS** – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	☒	☐	☐
N/A	**PARADE** – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.	☐	☒	☐
N/A	**RUN/WALK/CYCLE** – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route:	☐	☒	☐
Separate permit required	**BURN PERMIT** – Will there be any open flame such as a bonfire? If yes, describe activity: Note - A permit from the Fire Department is required.	☐	☒	☐

N/A	**TENT/CANOPY** – Will you be setting up a tent or canopy? If yes, list number and sizes: 2 – 10x10 pop ups	☒	☐	☐
Separate fee and permit required	**ELECTRICAL POWER/EQUIPMENT** – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? food vendors, lighting, DJ	☒	☐	☐
N/A	**ROAD/INTERSECTION CLOSURE** – Will any roads need to be closed to accommodate your event? If yes, please list: Court: Main, Plaza entrances	☒	☐	☐
N/A	**MAP/DIAGRAM** – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.	☐	☐	☐
N/A	**PARKING ACCOMODATIONS** – What will be the anticipated need for parking and what is your parking plan? Platz lot & parking garage	☒	☐	☐
N/A	**TOILETS** – Please list amount at event and/or nearest location: 5+1 ADA by TD Bank	☒	☐	☐
N/A	**WASTE DISPOSAL** – Please list process and location: trash cans provided; placed by the public works dept.	☒	☐	☐
N/A	**HAND WASHING FACILITIES** – Please list amount at event and/or nearest location: at porta parties	☐	☐	☐
N/A	**POTABLE WATER** – Please list amount at event and location:	☐	☒	☐
N/A	**FIRST AID FACILITIES** – Please list location at event: United Ambulance or Auburn Fire Dept	☒	☐	☐
$	**TOTAL FEE INCLUDED** – Checks payable to "City of Auburn"			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc., the city requires general liability insurance coverage. The **City of Auburn** is to be named as "additionally insured" for the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the City of Auburn listed on the Certificate of Insurance (minimum coverage $1,000,000 Bodily Injury or Death, per occurrence, and $300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the city. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

Signature of Applicant: Cathy McDonald Printed Name: Cathy McDonald Date Submitted: 4/16/22

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning	✓		4/22	KB
* Fire Department	✓		4/25	MF
Police Department			4/25	AA
Public Works Department	✓		4/22	DD
Recreation Department	✓		4/25	JG

COMMENTS/CONDITIONS from any of the above departments:

Permit & guidance from Fire Prevention

City Council Public Hearing date, if applicable: _____

License Approved/Denied: 4/25/22 Date applicant notified: ✓

Sue,

Attached is the Liberty Festival application. We are also requesting the $10,000. funding towards the fireworks.

Also as discussed last year in planning meetings for the event, we were not required to provide insurance from the Liberty Festival because the pyrotechnics company, port-a-potty company and all vendors have insurance listing the city as additional insured. It was discussed as to whether we would need it again from us because we are just the organizers. We are hoping that is the same for this year.

Hope all is well with you. Seems great to be planning events again.

Thanks for your help and support !

Cathy

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Ordinance:** 16-06062022

Author: Katherine Cook, Planning Coordinator

Subject: First reading of zone change request from Hammond Lumber, 278 Poland Road

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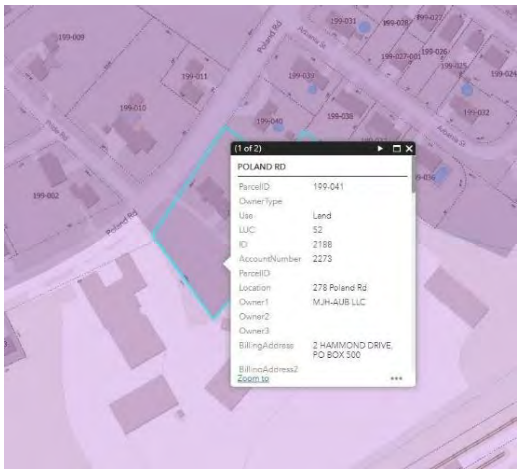


Information: Hammond Lumber Company (owner) is requesting a zone change of the 1.75 +/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel form Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, SEC.1445-1448.
The Planning Board reviewed this request brought forth by a petition with the information and the recommendations noted in the staff report.

The Planning Board reviewed this proposal, held a Public Hearing and recommended that City Council reject Hammond Lumber's requested zone change on 1.75 acres +/- at 278 Poland Rd (PID 199-041) from Suburban Residential (SR) zone to Industrial (ID) zoning noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is a requested for proposed parking. Their motion is included in the packet.

Their recommendation was based on discussion between the applicants, the Planning Board, and members of the public and specified in the May 10th Planning Board Meeting minutes and on the YouTube Recording for this meeting.

City Budgetary Impacts: None.

Staff Recommended Action: Hold the first reading and hold a public hearing for the zone change at 278 Poland Road, Parcel I.D. 199-041 from Suburban Residential (SR) District to Industrial (ID) District.

Previous Meetings and History: May 10th 2022 Planning Board.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Planning Board Memo, May 10th, 2022, Hammond Lumber Staff Report, May 10th, Application from Hammond Lumber, Hammond Lumber site plan.

SEBAGO TECHNICS

CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

City of Auburn
Zone Change Request

For:

Hammond Lumber

282 Poland Road
Auburn, Maine 04210

Applicant:
Hammond Lumber Company
282 Poland Road,
Auburn, ME 04210

Prepared by:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

April 2022

April 08, 2022

City of Auburn
Planning Board
60 Court Street
Auburn, Maine 04210

Zone Change Request
278 Poland Road, Auburn ME 04210

Dear Planning Staff,

On behalf of Hammond Lumber Company, we are pleased to submit the following documentation for a zone change request to the City of Auburn. The requested zone change is for an approximately 1.75-acre parcel located at 278 Poland Road and identified by the City of Auburn as lot 199-041., and is within the City's Suburban Residential (SR) Zone and borders Auburn's Industrial (ID) Zone. The property was previously developed for residential use and consisted of a single-family house and barn. Hammond Lumber purchased the land, and in 2019, the buildings on the parcel were demolished and removed from the property. Hammond Lumber is now requesting the zone change of this property from the SR Zone to the ID Zone to allow the expansion of their development onto this parcel.

The subject parcel is located along the frontage of the Hammond Lumber site on Poland Road and abuts the entire front face of Hammond's primary and largest warehouse building. Adjacent residential development is located north across Poland Road and downhill to the east. There is an existing tree line along the eastern boundary of the property that extends from Poland Road to the rear of the Hammond Lumber development. The remaining area of the parcel is open lawn that is surrounded on three sides by Poland Road and Hammond Lumber's access drive and buildings.

With the aforementioned factors in mind, a zone change of lot 199-041 from Suburban Residential to Industrial will not pose any adverse effects to the Poland Road community or to the city as a whole A zone change will allow Hammond Lumber to utilize this area to its full potential by incorporating it into their existing development. The additional frontage will give Hammond Lumber the ability to create a more visually pleasing entrance along Poland Road that better matches the other industrial and commercial properties in the area. To assist with your review of this request, we have included the proposed design for how Hammond Lumber intends to utilize this site if the zone change is approved.

We hope the attached application and materials we have provided are sufficient information for the City of Auburn to allow Hammond Lumber Company's zone change request. The goal of Hammond Lumber Company is to obtain the zone change first, and then proceed with an application to the City of Auburn for improvements to the front façade of the existing retail building, a new parking lot with associated stormwater treatment, and much needed improvements to the frontage along Poland Road. Should you have any questions, or need additional information, please call James Seymour, PE at Sebago Technics, Inc. at 207-200-2083.

Sincerely,

SEBAGO TECHNICS, INC.

James R. Seymour, P.E.
Sr. Project Manager

Materials Enclosed:

- Rezoning Petition & Signatures
- City Zoning Maps with Subject Parcel Identified
- 500' Abutters List
- Full Size Plans
    - Existing Conditions Plan
    - Preliminary Site Plan

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Suburban Residential (SR) zoning portion of the zoning map on (PID 199-041) to allow for a zone change of SR to ID to support Industrial opportunities in an otherwise residential zoned neighborhood along Poland Road. The property has been owned by Hammond Lumber for a number of years. As the ID district is the adjacent use the current owner would like to have the zoning match their existing/adjacent property as they will be absorbing the property into their larger existing parcel. The abutting lot in common is currently zoned Industrial Development and is owned in common by Hammond Lumber Company entity. The home on the parcel located in the SR was demolished in 2019 and today it is an empty parcel. As the City is currently undergoing a zoning reorganization, this is a great time to include this adjacent parcel (PID 199-041) as part of the ID zone to match existing zone of the current owner (Hammond Lumber)

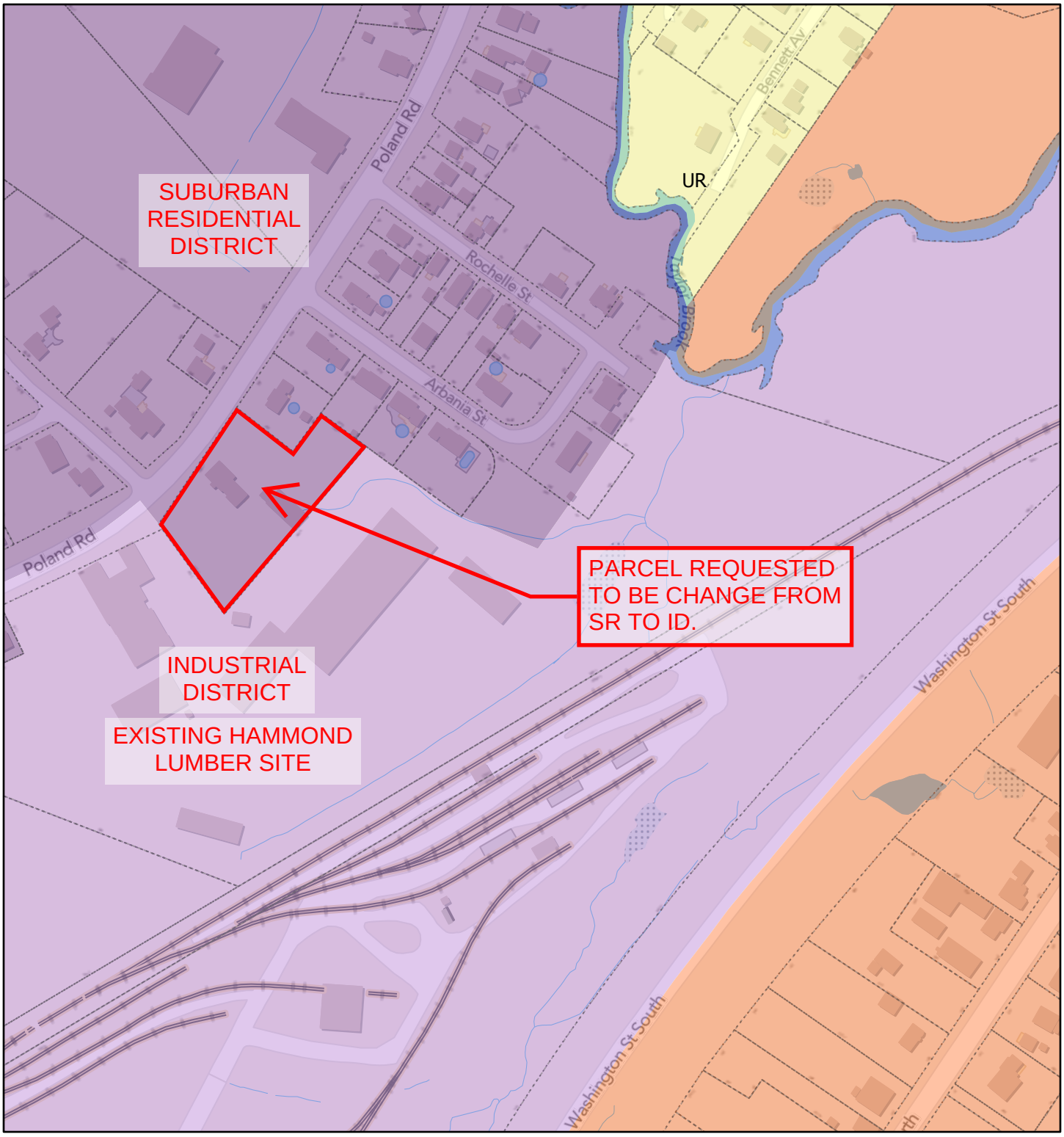
One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as Industrial. The lot is outside the floodplain.

Print Name	City of Auburn Legal Address	Signature
Pamela J Haskell-Drumm	387 Court St Apt 2	
Timothy J. McDonough	211 Fairway Dr	
David E Schenk II	37 norther avenue Heights Apt 25	
Brett Hackett	155 Fletcher Rd	
Kevin Hackett	155 Fletcher Rd.	
MICHAEL BARRETT	1067 HOTEL RD	
JIM TIMBERLAKE	75 VBRIARCLIFF	
Joe Delong	1480 Pownal Rd	
Patrick warden	100 vickery Rd	
ROBERT TURGEON	67 MAPLE PT AUB	
Fredrick D. McCann	64 W. Ham Rd	
Susanne Macomber	45 Jefferson St	
Brooke Peters	120 Madison St	
Dolores Pulk	78 Madison St. Aub	
Jerome Smith	10 fairview ct. Aub	
Chris Hobbell	117 Beech Ave Aub	
Michael Lemay	50 Broadview Ave	
Gary LaPrell	45 Arbania St.	
Michael Turgeon	38 Zoar street	
David Lepage	14 Holly St	
Zachery Bisbee	37 Third St Auburn ME	
Cody MCAllister	60 Mountain View Drive Aub	

Peter Fordham	747 minot Ave	Peter Fordham
RONALD GAGNE	230 HOTEL RD	Ronald Gagne
John Coutts	37 Broadview AVE	John A. Coutts
Nicholas Nolan	1889 Riverside Drive	Nicholas Nolan
PBA Inc	174 WYMAN RD	PAUL A. TARDIF
JOS JONES	861 PEACH HILL RD	
Daniel R Herrick	470 Hatch Rd	Daniel R Herrick

Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

ID zone and SR zoning Map



3/9/2022, 9:53:19 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

2020 Parcels

Zoning

GB - General Business

ID - Industrial

SR - Suburban Residential

UR - Urban Residential

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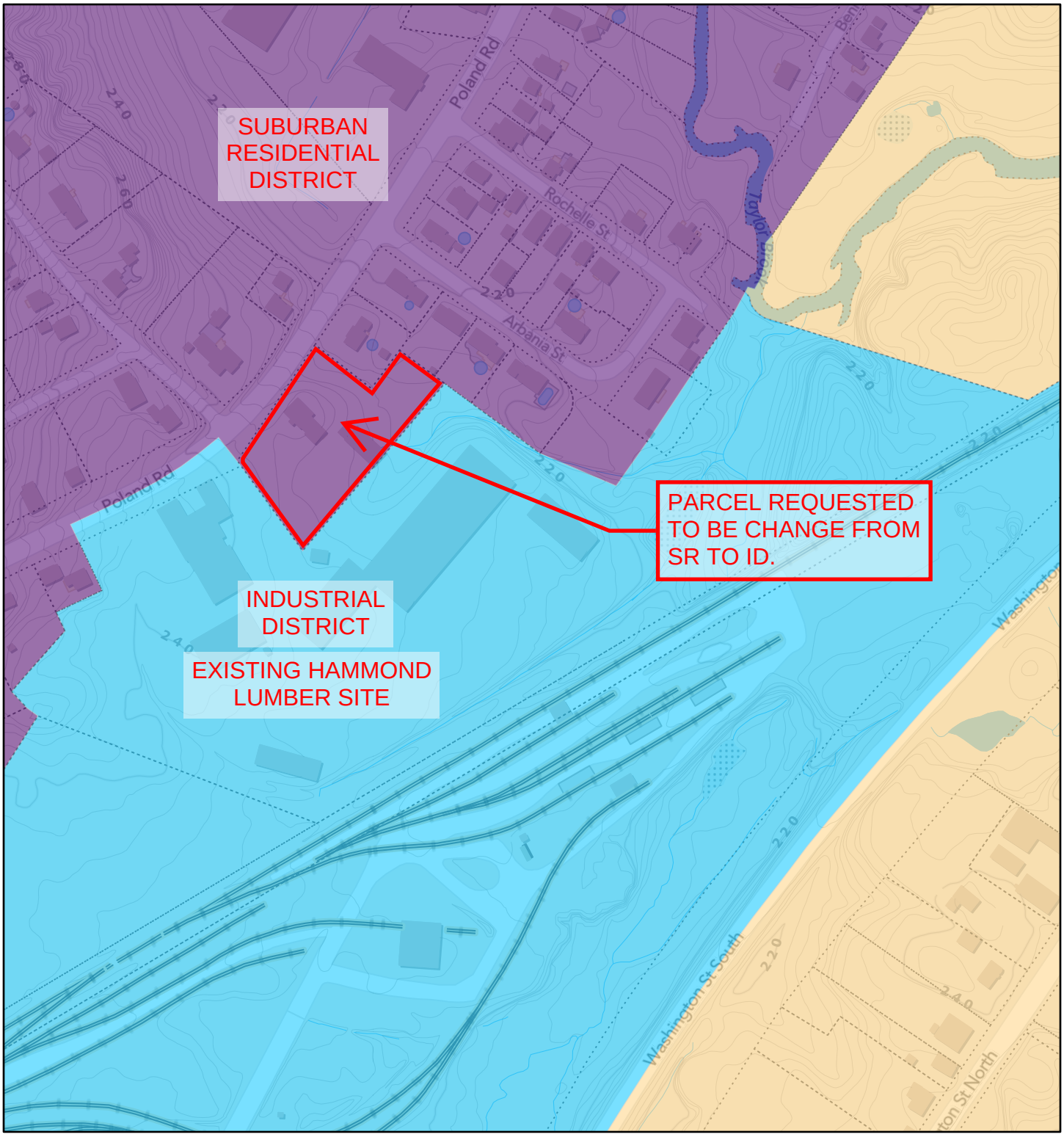
Web AppBuilder for ArcGIS

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

Zoning map of SR and ID Zones



3/9/2022, 9:51:03 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Future Land Use _ 2021 Update

- Traditional Neighborhood Development District
- Industrial Development District
- Commercial Form-Based Code Gateway Development District (Washington Street)

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City of Auburn
The City of Auburn makes no warranty, representation, or guaranty as to the sequence, accuracy, timeliness, or completeness of any of the information provided. The reader should not rely on the

199-039
NYBERG MICHAEL R, NYBERG ANN E,
3 ARBANIA ST
AUBURN, ME 04210

199-023
SANDS GREGORY J, SANDS PATRICK J,
WHITING BRENDA M
C/O 408 BRIGHTON HILL ROAD
MINOT, ME 04258

199-002
MANCHESTER KATIE, MANCHESTER CATHLEEN,
148 SPILLER ROAD
RAYMOND, ME 04071

199-004
WILLIAMS PHILIP J, WILLIAMS PAMELA J,
175 PRIDE ROAD
AUBURN, ME 04210

199-013
BECKET ACADEMY INC,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-021
GAGNON MONIQUE M, HINKLEY BRETT M,
12 ROCHELLE STREET
AUBURN, ME 04210

199-010
ALLEN TIMOTHY J,
PO BOX 1613
AUBURN, ME 04211

199-028
COYNE JULIE B,
9 ROCHELLE ST
AUBURN, ME 04210

199-046
LEWISTON AUBURN RAILROAD COMPA,
C/O JERRY BERUBE
415 LISBON ST
LEWISTON, ME 04240

199-003
LANDRY PATSY ANN, LANDRY JOHN A,
25 CARLTON ST
AUBURN, ME 04210

199-044
CLIFFORD MARGARITA, C/O PAULA BOLDUC,
279 PLEASANT ST
MECHANIC FALLS, ME 04256

199-030
LANE CAROL, LANE ROBERTA,
240 POLAND RD
AUBURN, ME 04210

199-034
LAPRELL GARY, LAPRELL TINA,
45 ARBANIA STREET
AUBURN, ME 04210

199-024
KEOUGH FRANCIS K, KEOUGH ANN M,
23 ROCHELLE STREET
AUBURN, ME 04210

199-033
BEAN TREVOR A, ,
27 ROCHELLE STREET
AUBURN, ME 04210

199-026
BILODEAU JUDY ANN, ,
17 ROCHELLE ST
AUBURN, ME 04210

199-020
GROETZINGER ALYSSA N, ,
228 POLAND ROAD
AUBURN, ME 04210

199-040
LAWRENCE SUZANNE M, ,
266 POLAND ROAD
AUBURN, ME 04210

198-090
CALLANAN EZEKIEL L, CALLANAN NICHOLAS J,
339 POLAND ROAD
AUBURN, ME 04210

199-005
ROMANO GEORGE F JR, PAITON-ROMANO SHARON A,
169 PRIDE RD
AUBURN, ME 04240

199-038
DERIENZO JOSEPH P, DERIENZO JESSICA,
11 ARBANIA ST
AUBURN, ME 04210

199-027-001
PULSIFER JACOB, ,
14 ARBANIA STREET
AUBURN, ME 04210

199-025
HOGAN JAN M, ,
21 ROCHELLE ST
AUBURN, ME 04210

199-037
GORDON DAWN M, GORDON LARRY L,
17 ARBANIA STREET
AUBURN, ME 04210

199-008
DIXON CHARLENE M, ,
160 PRIDE ROAD
AUBURN, ME 04210

199-042
MJH AUB LLC, ,
PO BOX 500
BELGRADE, ME 04917

199-022
MURPHY JOHN F HOMES INC, ,
800 CENTER ST
AUBURN, ME 04210

198-084
LANDRY JOHN A, LANDRY PATSY A,
31 CARLTON ST
AUBURN, ME 04210

199-001
SNELL DOUGLAS E, ,
321 POLAND ROAD
AUBURN, ME 04210

199-011
TEVES JAMIE BLUE, TEVES CAROLINE ALEXANDRA,
269 POLAND RD
AUBURN, ME 04210

198-098
INDUSTRIAL CONNECTIONS AND SOL, ,
305 Gregson Drive
Cary, NC 27511

199-031
VACHON DANIEL, ,
4 ARBANIA STREET
AUBURN, ME 04210

199-043
ST PIERRE JEFFREY A, ST PIERRE ASHLEY L,
328 POLAND RD
AUBURN, ME 04210

199-041
MJH-AUB LLC, ,
2 HAMMOND DRIVE, PO BOX 500
BELGRADE, ME 04917

199-019
LAUSIER ELMER A, LAUSIER KIMBERLY,
226 POLAND ROAD
AUBURN, ME 04210

199-036
RUSSELL JAY H, RUSSELL TINA M,
27 ARBANIA ST
AUBURN, ME 04210

199-029
MOGAVERO STEPHEN, ,
236 POLAND RD
AUBURN, ME 04210

199-012
BECKET ACADEMY INC, ,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-009
PACKARD TAMMY, ,
174 PRIDE RD
AUBURN, ME 04210

199-032
LANE CAROL F, LANE ROBERTA C,
30 ARBANIA ST
AUBURN, ME 04210

199-027
CEPRANO PETER, CEPRANO DEBRA,
120 BIRCH LANE
WALES, ME 04280

GENERAL NOTES:

1. THE RECORD OWNER OF THE PARCELS IS MJH-AUB LLC BY DEED DATED DECEMBER 15, 2003 AND RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS (ACRD) IN BOOK 5750, PAGE 333 AND BY DEED DATED JANUARY 8, 2019 AND RECORDED AT THE ACRD IN BOOK 10009, PAGE 120.
2. THE PROPERTY IS SHOWN AS LOT 41 AND LOT 42 ON THE CITY OF AUBURN TAX MAP 199. THE PROPERTIES ARE LOCATED IN THE SUBURBAN RESIDENCE (SR) DISTRICT AND ABUTS THE INDUSTRIAL (ID) DISTRICT.
3. SPACE AND BULK CRITERIA FOR THE SR DISTRICT ARE AS FOLLOWS:

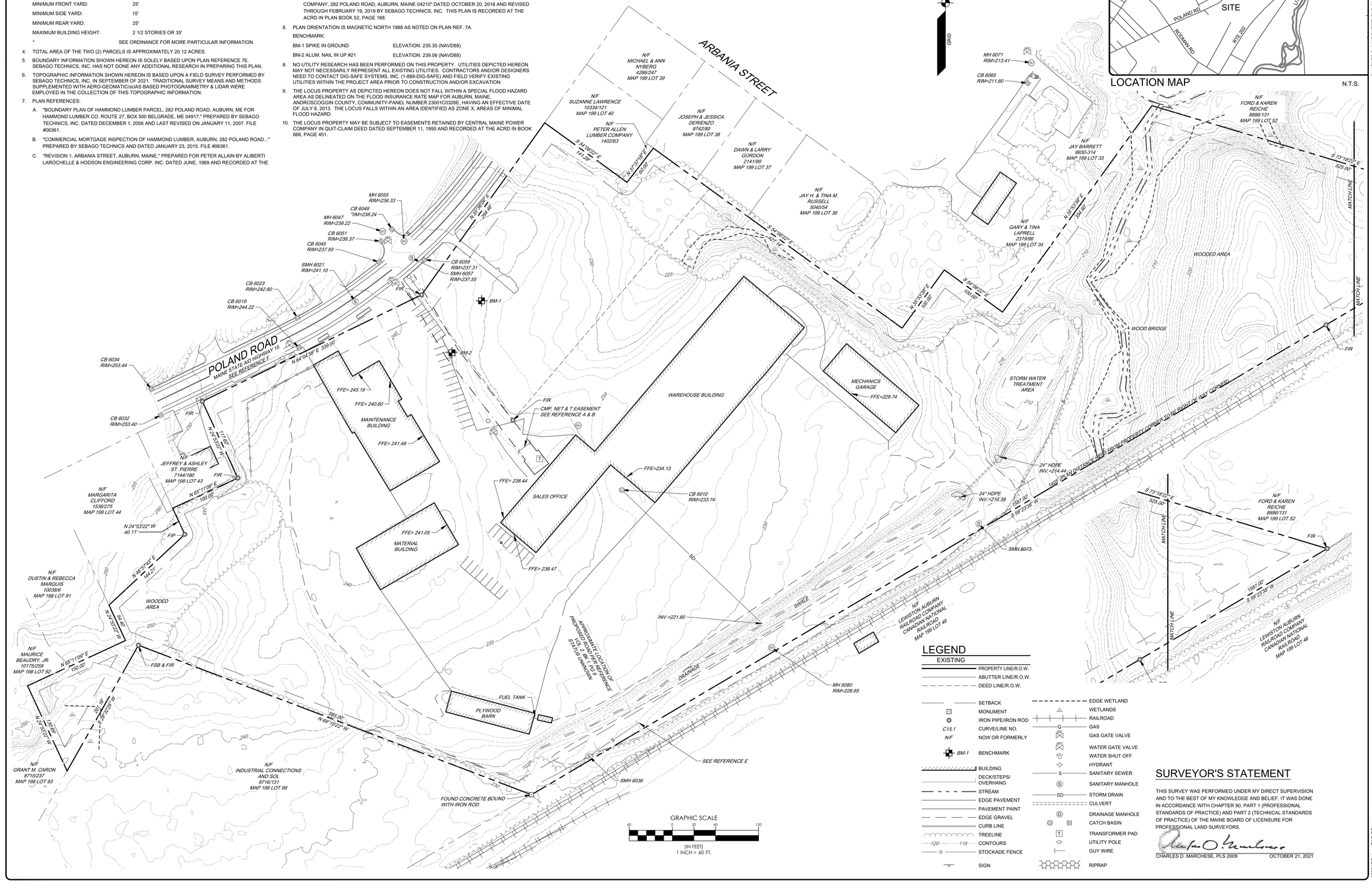
NET RESIDENTIAL DENSITY:	TWO DWELLINGS PER ACRE
MINIMUM LOT SIZE:	21,780 S.F.
MINIMUM LOT WIDTH:	150'
MINIMUM FRONT YARD:	25'
MINIMUM SIDE YARD:	15'
MINIMUM REAR YARD:	25'
MAXIMUM BUILDING HEIGHT:	2 1/2 STORIES OR 35'

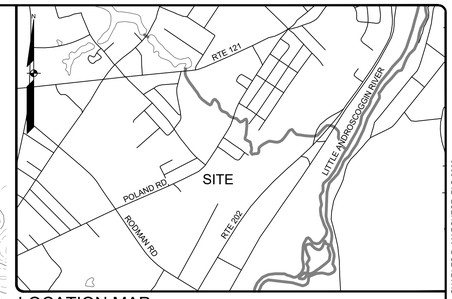
* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.

4. TOTAL AREA OF THE TWO (2) PARCELS IS APPROXIMATELY 20.12 ACRES.
5. BOUNDARY INFORMATION SHOWN HEREON IS SOLELY BASED UPON PLAN REFERENCE 7E. SEBAGO TECHNICS, INC. HAS NOT DONE ANY ADDITIONAL RESEARCH IN PREPARING THIS PLAN.
6. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY PERFORMED BY SEBAGO TECHNICS, INC. IN SEPTEMBER OF 2021. TRADITIONAL SURVEY MEANS AND METHODS SUPPLEMENTED WITH AERO-GEOMATIC/sUAS BASED PHOTOGRAMMETRY & LIDAR WERE EMPLOYED IN THE COLLECTION OF THIS TOPOGRAPHIC INFORMATION.
7. PLAN REFERENCES:
   - A. "BOUNDARY PLAN OF HAMMOND LUMBER PARCEL, 282 POLAND ROAD, AUBURN, ME FOR HAMMOND LUMBER CO. ROUTE 27, BOX 500 BELGRADE, ME 04917," PREPARED BY SEBAGO TECHNICS, INC. DATED DECEMBER 1, 2006 AND LAST REVISED ON JANUARY 11, 2007. FILE #06361.
   - B. "COMMERCIAL MORTGAGE INSPECTION OF HAMMOND LUMBER, AUBURN, 282 POLAND ROAD..." PREPARED BY SEBAGO TECHNICS AND DATED JANUARY 23, 2015. FILE #06361.
   - C. "REVISION 1, ARBANIA STREET, AUBURN, MAINE," PREPARED FOR PETER ALLAIN BY ALIBERTI LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE, 1969 AND RECORDED AT THE ACRD IN PLAN BOOK 21, PAGE 3.
   - D. "PLAN OF PROPERTY OWNED BY GENERAL ELECTRIC CO. RODMAN ROAD, AUBURN, MAINE," PREPARED BY ALIBERTI, LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE 22, 1979 AND RECORDED AT THE ACRD IN PLAN BOOK 28, PAGE 152.
   - E. STATE AID HIGHWAY NO. 15 RIGHT OF WAY MAP, PREPARED BY STATE OF MAINE DEPARTMENT OF TRANSPORTATION, FEDERAL AID PROJECT M-0218(2), D.O.T. FILE NO. 1-132, DATED JULY 1979, SHEETS 2 AND 3 OF 8, AND RECORDED AT THE ACRD IN PLAN BOOK 30, PAGE 26 & 27.
   - F. "PLAN OF LOTS OWNED BY MR. J.R. LEARNED, AUBURN, ME." DATED APRIL 1897 AND RECORDED AT THE ACRD IN PLAN VOLUME 2, BOOK 1, PAGE 9.
   - G. "BOUNDARY SURVEY PLAN OF 278 POLAND ROAD, AUBURN, MAINE FOR HAMMOND LUMBER COMPANY, 282 POLAND ROAD, AUBURN, MAINE 04210" DATED OCTOBER 20, 2018 AND REVISED THROUGH FEBRUARY 19, 2019 BY SEBAGO TECHNICS, INC. THIS PLAN IS RECORDED AT THE ACRD IN PLAN BOOK 52, PAGE 168.
8. PLAN ORIENTATION IS MAGNETIC NORTH 1988 AS NOTED ON PLAN REF. 7A.

   BENCHMARK:

BM-1 SPIKE IN GROUND	ELEVATION: 235.35 (NAVD88)
BM-2 ALUM. NAIL IN UP #21	ELEVATION: 239.06 (NAVD88)
9. NO UTILITY RESEARCH HAS BEEN PERFORMED ON THIS PROPERTY. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
10. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR AUBURN, MAINE, ANDROSCOGGIN COUNTY, COMMUNITY-PANEL NUMBER 230001C0328E, HAVING AN EFFECTIVE DATE OF JULY 8, 2013. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE X, AREAS OF MINIMAL FLOOD HAZARD.
11. THE LOCUS PROPERTY MAY BE SUBJECT TO EASEMENTS RETAINED BY CENTRAL MAINE POWER COMPANY IN QUIT-CLAIM DEED DATED SEPTEMBER 11, 1950 AND RECORDED AT THE ACRD IN BOOK 666, PAGE 451.





LOCATION MAP N.T.S.

LEGEND

EXISTING

- PROPERTY LINE/R.O.W.
- ABUTTER LINE/R.O.W.
- DEED LINE/R.O.W.
- SETBACK
- MONUMENT
- IRON PIPE/IRON ROD
- C1/L1 CURVE/LINE NO.
- N/F NOW OR FORMERLY
- BM-1 BENCHMARK
- BUILDING
- DECK/STEPS/ OVERHANG
- STREAM
- EDGE PAVEMENT
- PAVEMENT PAINT
- EDGE GRAVEL
- CURB LINE
- TREELINE
- 120 118 CONTOURS
- STOCKADE FENCE
- SIGN
- EDGE WETLAND
- WETLANDS
- RAILROAD
- G GAS
- GAS GATE VALVE
- WV WATER GATE VALVE
- WATER SHUT OFF
- HYDRANT
- S SANITARY SEWER
- SANITARY MANHOLE
- SD STORM DRAIN
- CULVERT
- DRAINAGE MANHOLE
- CATCH BASIN
- T TRANSFORMER PAD
- UTILITY POLE
- GUY WIRE
- RIPRAP

GRAPHIC SCALE

60 0 30 60 120

(IN FEET)

1 INCH = 60 FT.

SURVEYOR'S STATEMENT

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) AND PART 2 (TECHNICAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

CHARLES D. MARCHESE, PLS 2009 — OCTOBER 21, 2021

CHARLES D. MARCHESE, PLS 2009

STATE OF MAINE * CHARLES D. MARCHESE * 2009 * REGISTERED PROFESSIONAL LAND SURVEYOR

REV	BY	DATE	STATUS
A	CDM	10-21-2021	ISSUED FOR CLIENT REVIEW

THIS PLAN IS NOT TO BE USED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

EXISTING CONDITIONS PLAN
OF:
HAMMOND LUMBER COMPANY
278 & 282 POLAND ROAD
AUBURN, ME
FOR RECORD OWNER:
MJH-AUB LLC
2 HAMMOND DRIVE, P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	-
DRAWN	KAH/TSL
CHECKED	CDM/TSL
DATE	10/15/2021
SCALE	1" = 60'
PROJECT	06361

SHEET 1 OF 1

06361EC.dwg, TAB: EC

POLAND ROAD

BIT. CURB

TIP-DOWN, TYP.

TRUNCATED DOME

MAGNETIC 1988

MAINTENANCE BUILDING

DISPLAY AREA

DOCK DISPLAY AREA

HAMMOND LUMBER SIGN (BY OTHERS)

ENTRANCE GATE

N/F SUZANNE AWRENCE 16534-101 MAP 199 LOT 40

N/F PETER ALLEN LUMBER COMPANY 14083

11 PARKING SPACES

12 PARKING SPACES

13 PARKING SPACES

13 PARKING SPACES

15 PARKING SPACES

16 PARKING SPACES

7 PARKING SPACES

13 PARKING SPACES

4 PARKING SPACES

4 ADA PARKING SPACES

INDUSTRIAL ZONE (ID)

SUBURBAN RESIDENTAIL ZONE (SR)

RELOCATED TRANSFORMER

SAWCUT, TYP.

BOLLARD, TYP.

LSA

10'x20' PARKING SPACE, TYP.

ADA PARKING SIGN, TYP 4 PLACES

SALES OFFICE

WAREHOUSE BUILDING

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 INCH = 20 FT.

PLS OR PE

PLS OR PE

PROGRESS PRINT

NOT FOR CONSTRUCTION

REV	BY	DATE	STATUS
REV	BY	DATE	STATUS

THIS PLAN IS NOT TO BE USED, REPRODUCED OR MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

SITE PLAN
OF:
HAMMOND LUMBER - AUBURN
282 POLAND ROAD
AUBURN, MAINE
FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361

SHEET 5 OF10

06361 S dwg, TAB:S

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

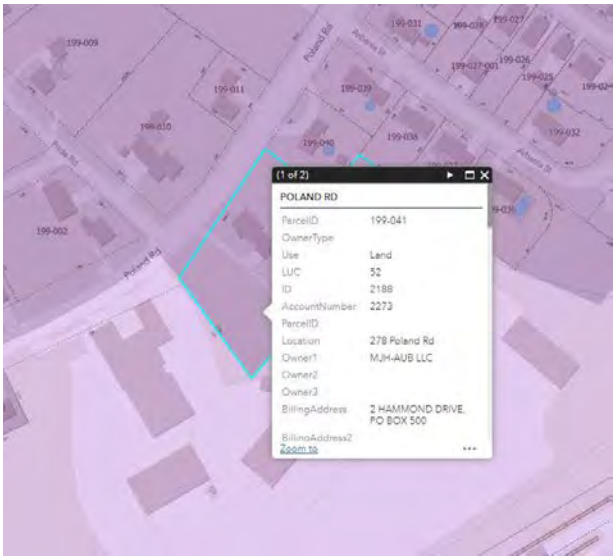
To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Zone Change Request for Hammond Lumber, 278 Poland Road

Date: May 10, 2022

PROPOSAL #1: **PETITION/ ZONE CHANGE REQUEST:** Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.



Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or **by a petition signed by not less than 25 registered voters of the city.** (Ord. of 9-21-2009, § 8.1A) This change was initiated by petition.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan (FLUP) as part of the 2021 Comprehensive Plan update process has this area has a suggested zone as Suburban Residential but given the immediate proximity of ID on two sides and long-standing lumber companies ownership (61+/- years) in the immediate area this would be an enhancement to the growing lumber and construction industry in the community. Access to building materials in the community is a major asset to meeting economic and housing goals of the Comprehensive Plan.

The FLUP is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development *(Ref. City of Auburn Comprehensive Plan, Chapter 2, pg. 87)*

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a recommendation to City Council to amend zoning map amendment to PID: 199-041 from Suburban Residential to Industrial to support a business in an otherwise commercially zoned neighborhood. Although review of a site plan will be required later it is worth noting that site impacts will be addressed in that process, including:

1.) The owner will address curb cut reductions if a site plan review submission is requested for proposed parking areas.
2.) The owner would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

II. SUGGESTED FINDINGS AND REASONS:

1. The applicant submitted a rezoning petition with required signatures, City Zoning maps with Parcels identified, 500' abutters list, and plans which met the standards and the required materials to make the Zone change on April 8, 2022 thus meeting the time frame and submission standards (Sec. 60-1446).
2. The property in question is owned by Hammond Lumber and abuts its property already in the ID zoning district on two sides. Approximately the second half of the parcel abuts the suburban residential zone. The change would not affect the character of the neighborhood and would not impede public health, safety, convenience, and welfare (Sec. 60-1447).
3. The proposal can be implemented without detriment to city resources.
4. The proposal meets the general future land use plan pattern of development and is consistent with the current comprehensive plan.

III. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

Suggested Motion: I make a motion to recommend that the City Council approve Hammond Lumber's requested Zone change on 1.75 acres +/- at 278 Poland Road (PID 199-041) from Suburban Residential (SR) Zone to Industrial (ID) Zone noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov | 207.333.6601

Proposal from the May 10th Planning Board staff report now before council:

Proposal: Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SB zoning. Approval for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.

Suggested Motion:

On May 10th, 2022, the City of Auburn Planning Board made the following recommendations:

"I move to recommend that City Council not rezone the property as it would be an encroachment of industrial area into residential neighborhoods."

(Motion from Mathieu Duvall, Second from Stacey LeBlanc)

Motion to NOT rezone the area to ID passes 5-2.

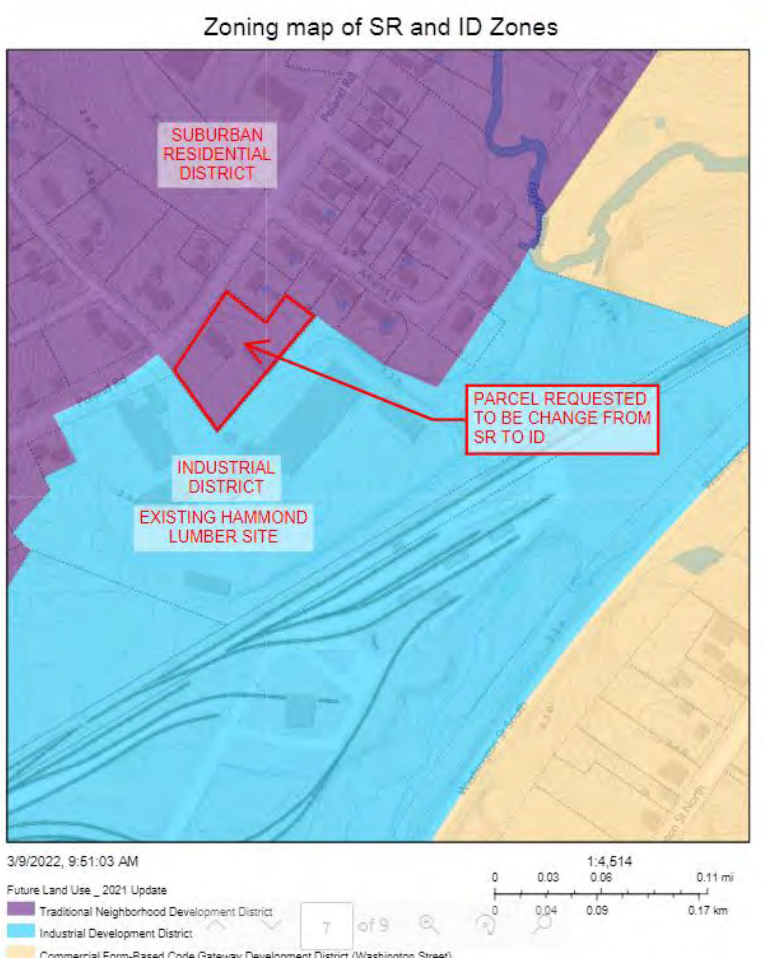
ORDINANCE 16-06062022

City Council Ordinance

IN CITY COUNCIL

Amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041)

Be it ordained, that the Auburn City Council approve the first reading of an amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041) as shown in the petition and below.



Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 83-06062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Project Support You - Auburn

Information: Allocate $300,000.00 of ARPA Funding to create a two year pilot program "Project Support You – Auburn". The program is designed to have co-responders with the police and fire department to engage with residents that need services other than those traditionally responding. This employee will work with residents to access other programs needed to be better serve our residents and reduce the need for fire and police response in the future.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: NONE

ORDER 83-06062022

City Council Order

IN CITY COUNCIL

ORDERED, the City Council hereby allocates Three Hundred Thousand Dollars ($300,000) of ARPA Funding to create a two-year pilot program "Project Support You – Auburn", ensuring conformance with the ARPA Rules and Guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 84-06062022

Author: Jill M. Eastman, Finance Director

Subject: Reallocation of unspent bond proceeds to fund purchase of Flight Simulator

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Information: The new director would like to purchase a flight simulator for the airport to be used in conjunction with the local colleges to provide flight training for students. The amount of the request is $32,376, which was allocated for snow removal equipment if FY 22. The tractor purchased came in under the original estimate.

City Budgetary Impacts: None

Staff Recommended Action: Approve Request

Previous Meetings and History: This was approved by the Airport Board at their May meeting, and the City of Lewiston has a similar order on their agenda for approval tomorrow, June 7, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 84-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn Lewiston Airport is allowed to spend $32,376 that was originally allocated for the Airport Snow Removal Equipment to the purchase of a Flight Simulator.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 85-06062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Adopting Juneteenth (June 19th) as an official City holiday.

Information: On June 17, 2021, June 19th (Juneteenth National Independence Day) officially became a US Federal holiday commemorating the end of slavery in the United States. It has also been officially declared a State holiday in Maine, and many municipalities have followed suit by adopting it as an official municipal holiday.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider adopting as an official City holiday

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Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 85-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council, hereby adopts June 19 (Juneteenth) as an official holiday of the City.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 86-06062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed date change for the second Regular City Council meeting of June 2022

Information: Recommend changing the second Regular City Council meeting for the month of June from Monday, June 20, 2022, to Monday, June 27, 2022.

City Budgetary Impacts: None.

Staff Recommended Action: Approve

Previous Meetings and History: N/A.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 86-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes changing the date of the second regular meeting of the City Council for the month of June from Monday, June 20, 2022, to Monday, June 27, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 87-06062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Small Area Master Plannnig

Information: Allocate $300,000.00 of ARPA Funding to create small area master plans in targeted growth areas within the city. The plans will be focused on setting actions steps to direct public infrastructure, and identifying non-local funding sources for implementation, in support of economic growth.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: NONE

ORDER 87-06062022

City Council Order

IN CITY COUNCIL

ORDERED, the City Council hereby allocates Three Hundred Thousand Dollars ($300,000) of ARPA Funding to create small area master plans, ensuring conformance with the ARPA Rules and Guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022 **Order:** 88-06062022

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 11 city-owned properties that have the potential to create economic impact if sold. The Economic Development department will work with the city's contracted real estate broker to market the properties and identify potential uses.

City Budgetary Impacts: None

Staff Recommended Action: Approve the order as presented

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: List of properties

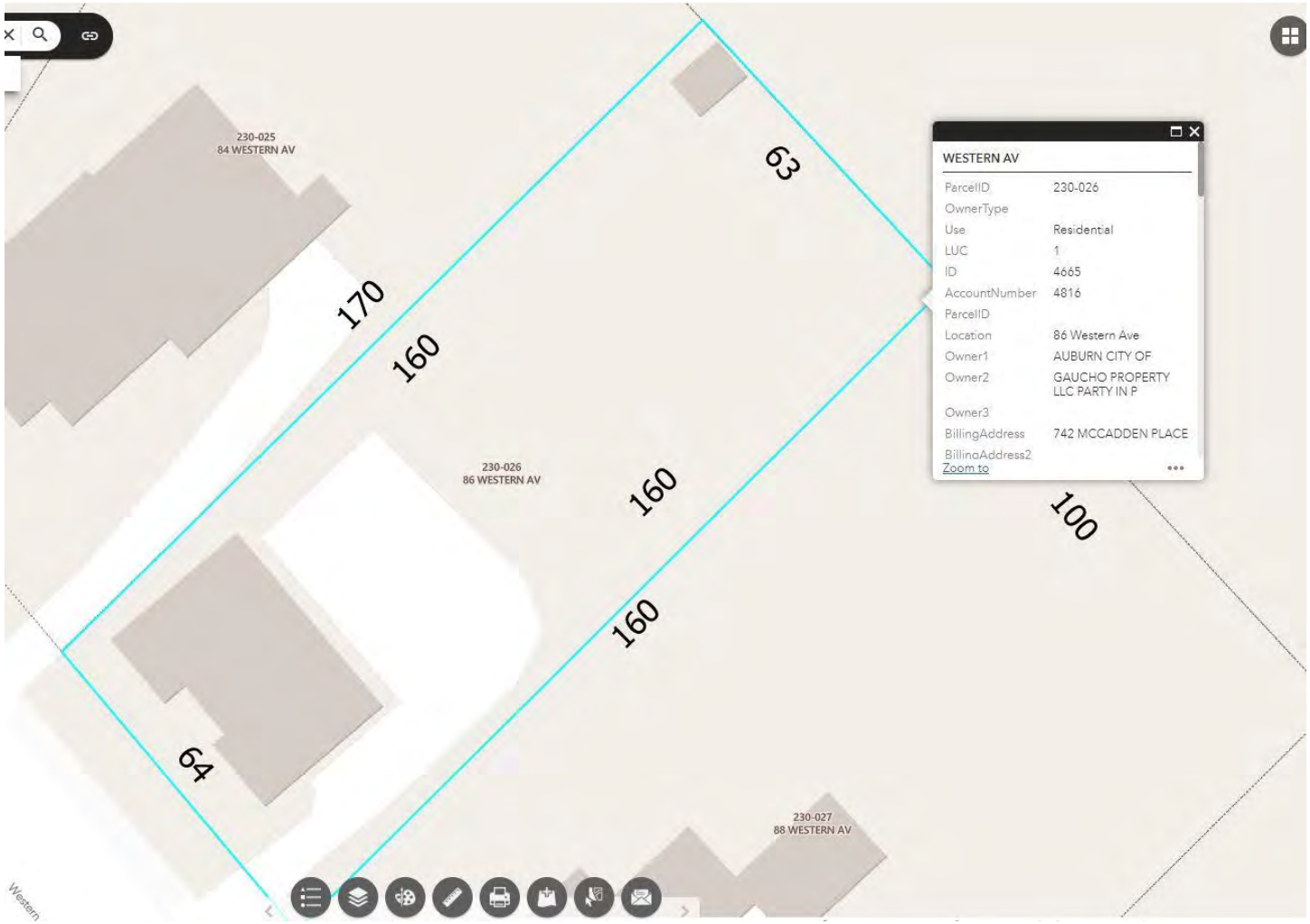
City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting June 6, 2022

Jay Brenchick, Director of Economic Development

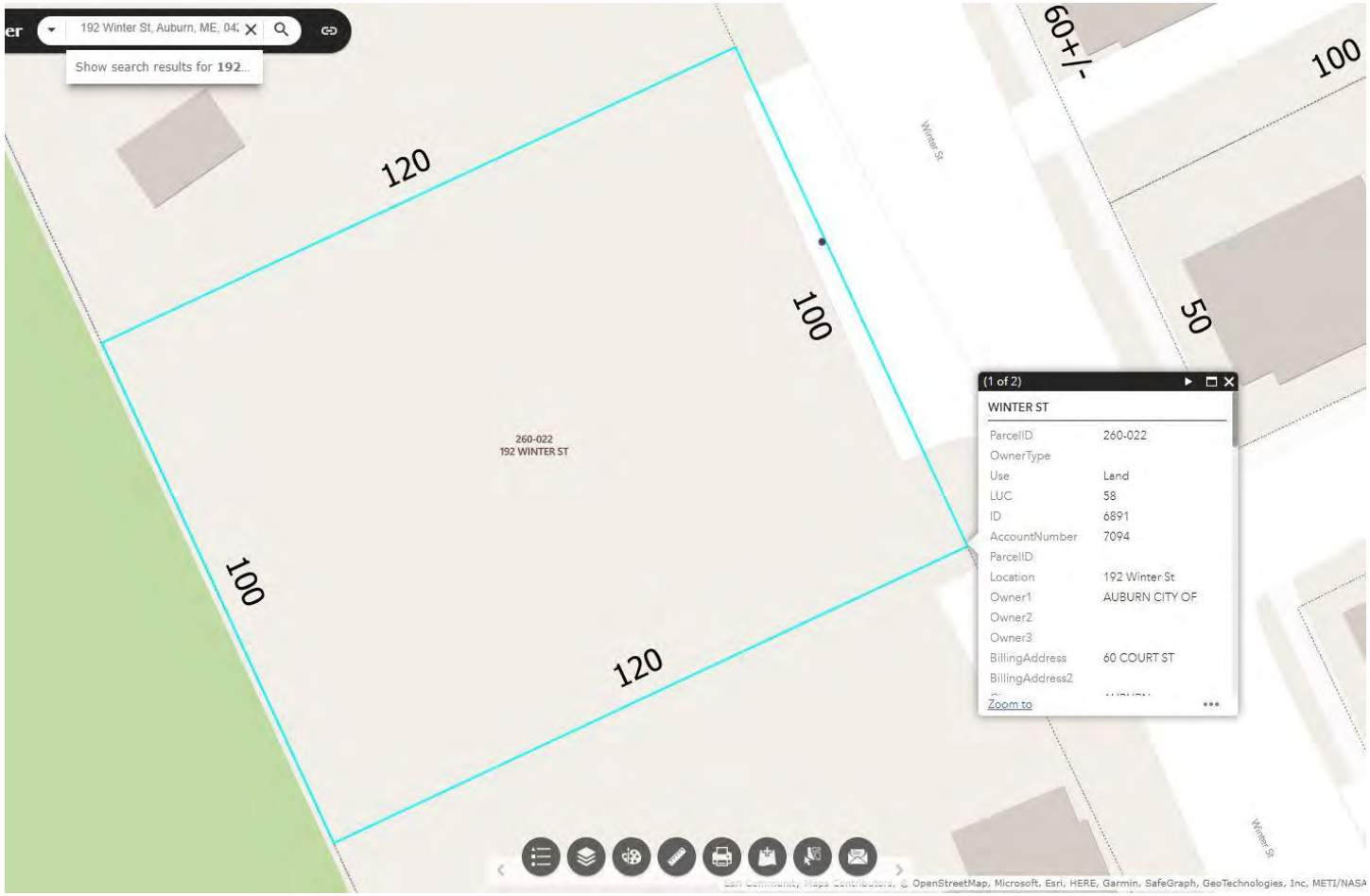
Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city's approve bid process. Applicants will be required to share a short narrative describing what they plan to build as well as the project's anticipated timeline and completion date.

Address	Description
86 Western Ave	Parcel ID: 230-026
192 Winter Street	Parcel ID: 260-022
104 Newbury Street	Parcel ID: 221-067
103 Newbury Street	Parcel ID: 221-058
115 Newbury Street	Parcel ID: 221-055
16 Newbury Street	Parcel ID: 231-035
14 Newbury Street	Parcel ID: 231-034
369 Main Street	Parcel ID: 221-044
351 Main Street	Parcel ID: 221-048
Vickery Road Property	Parcel ID: 183-029
Winter Oak Property	Parcel ID: 191-101

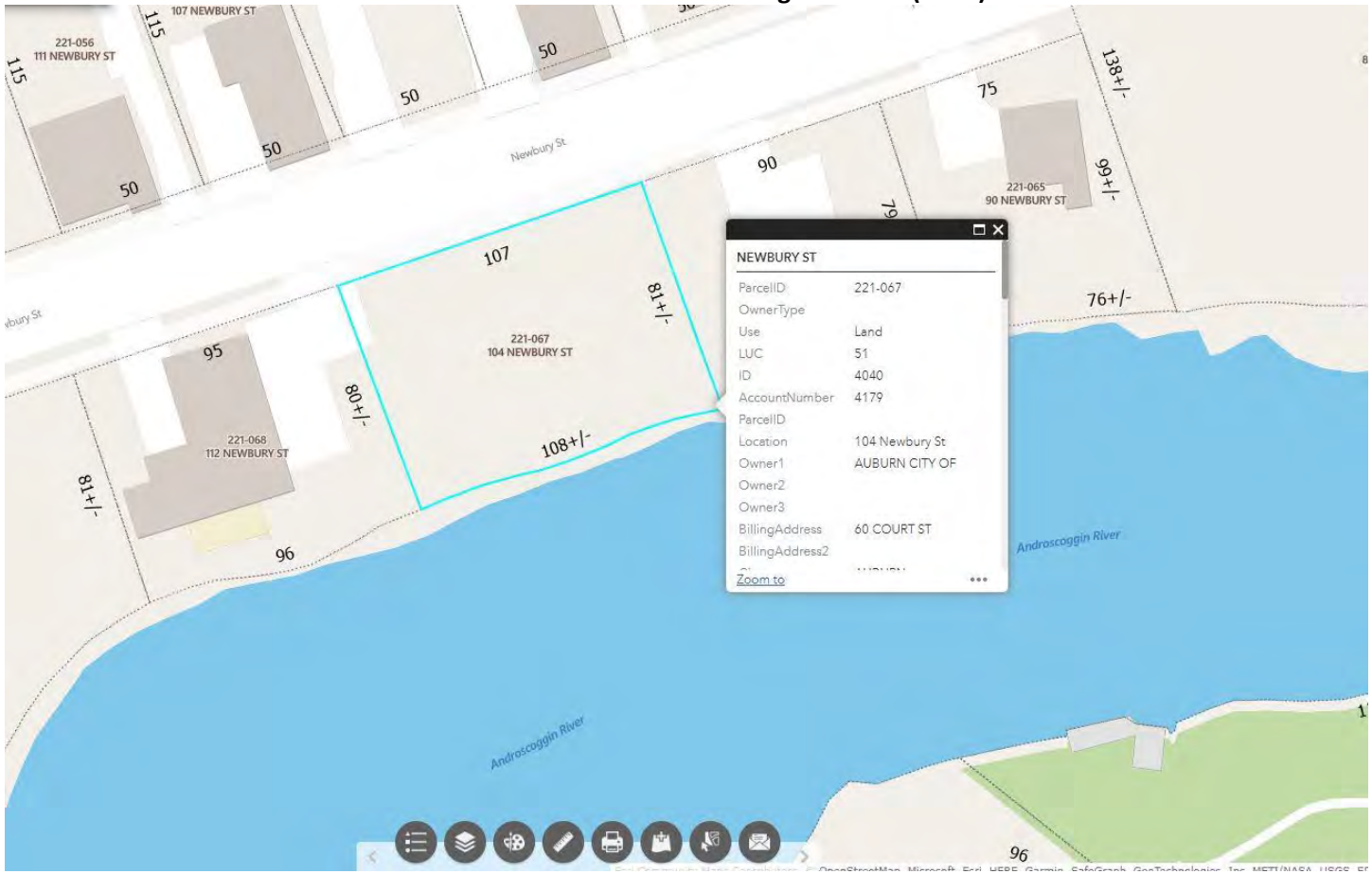
86 Western Ave.
.23 +/- acres
Zoned: Traditional Downtown Neighborhood (T-4.2)



192 Winter Street
.28 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

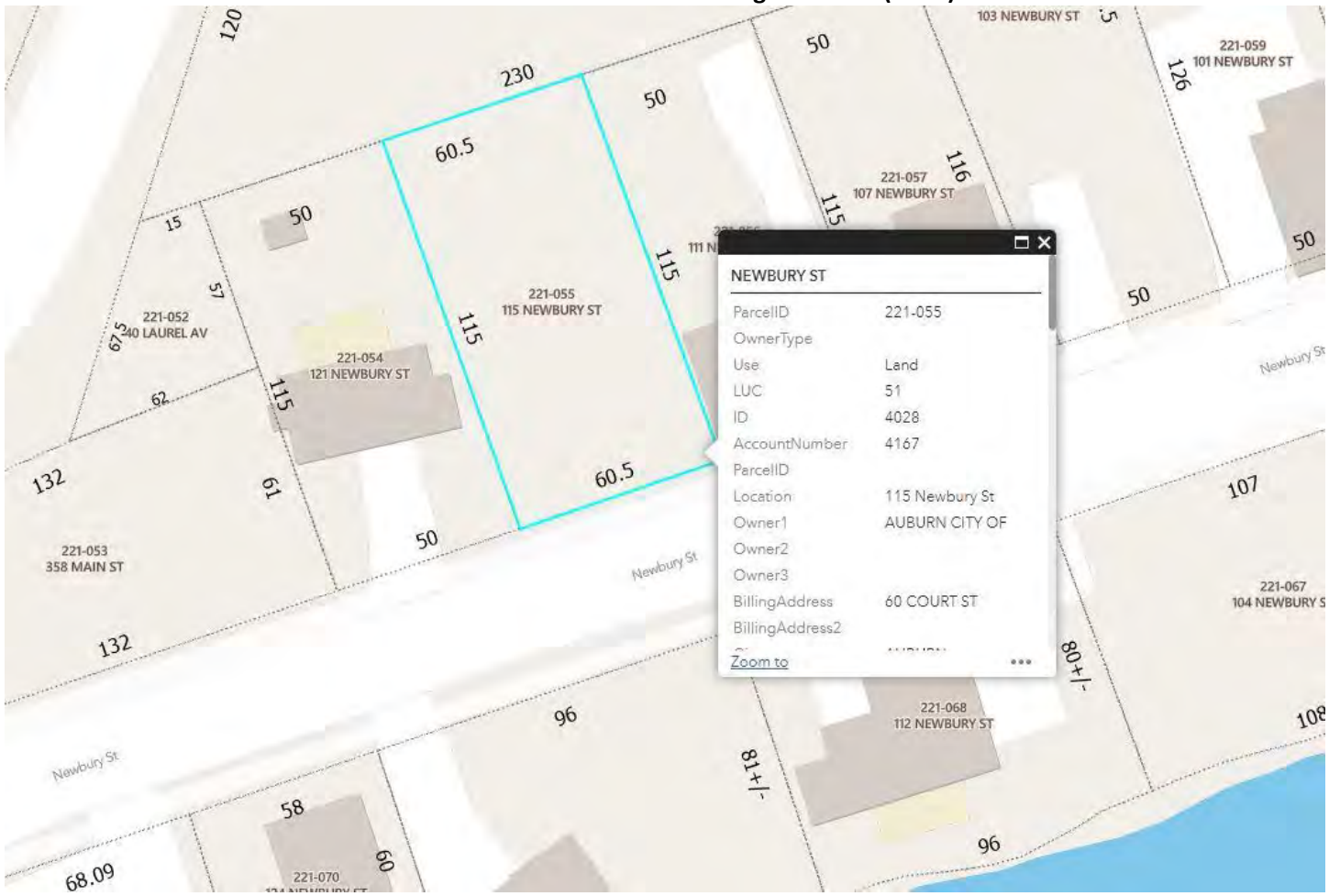


104 Newbury Street
.19 +/- Acres
Zoned: Traditional Downtown Neighborhood (T-4.2)



103 Newbury Street
.21 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

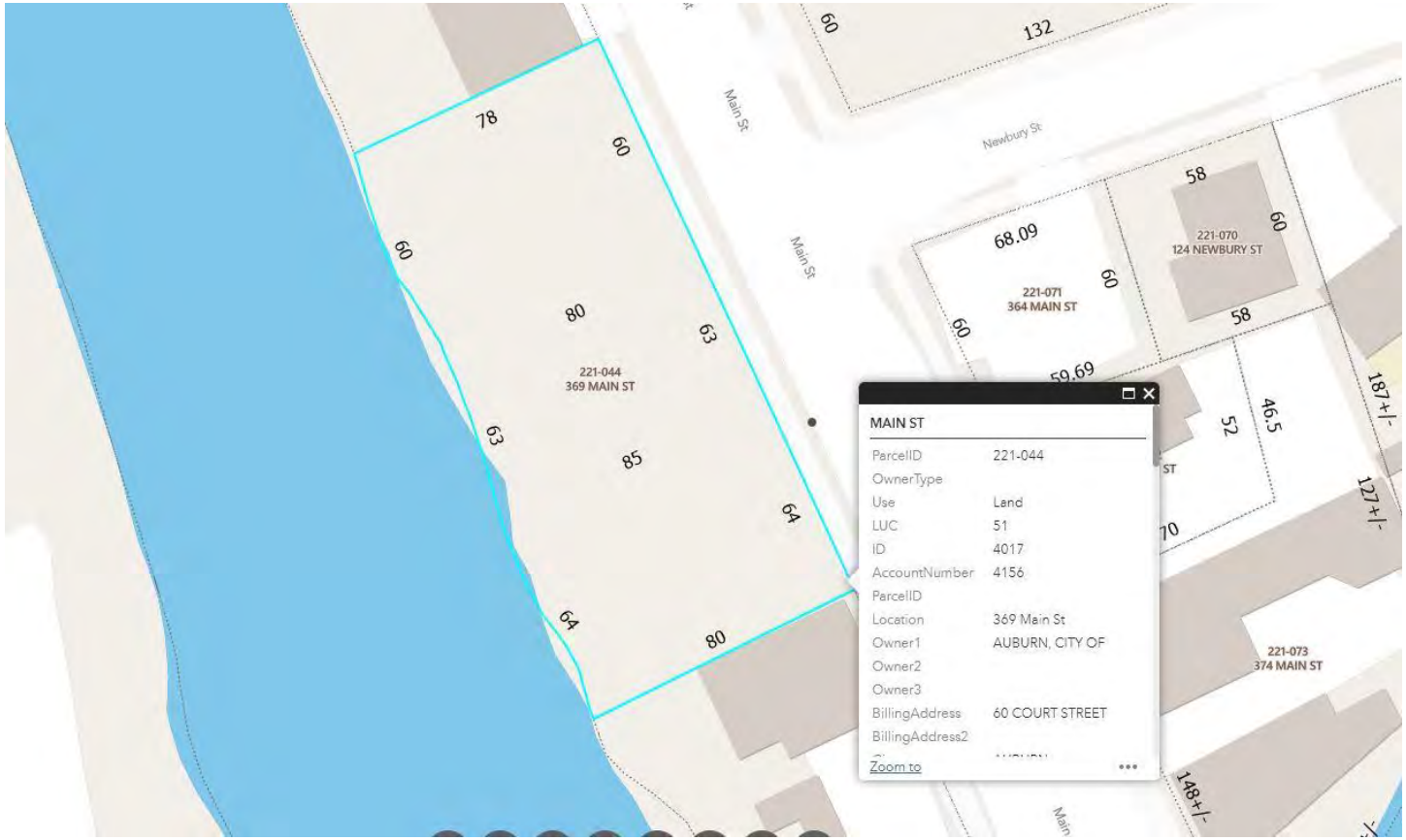
115 Newbury Street
.16 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



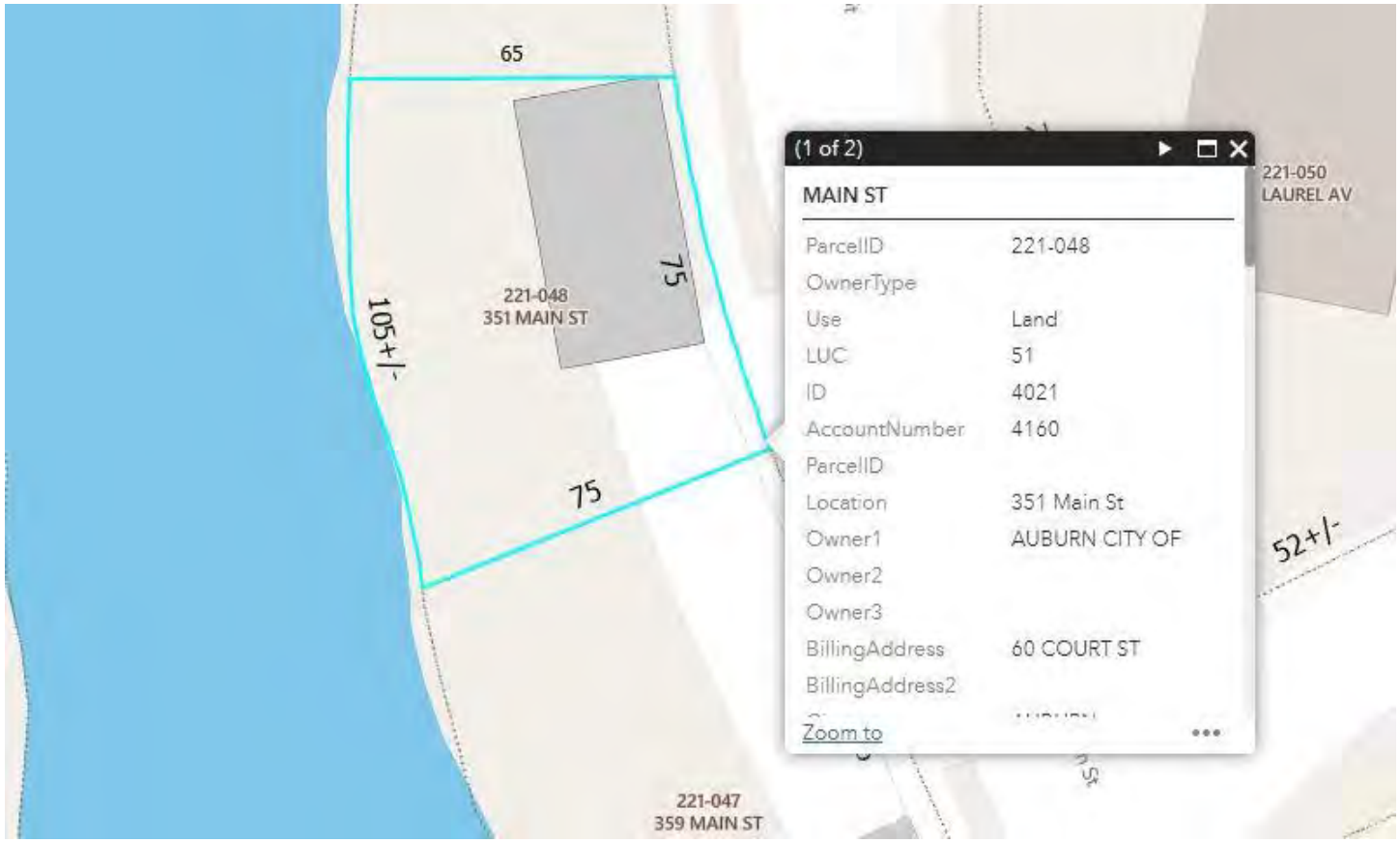
14 Newbury Street
.09 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

16 Newbury Street
.18 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

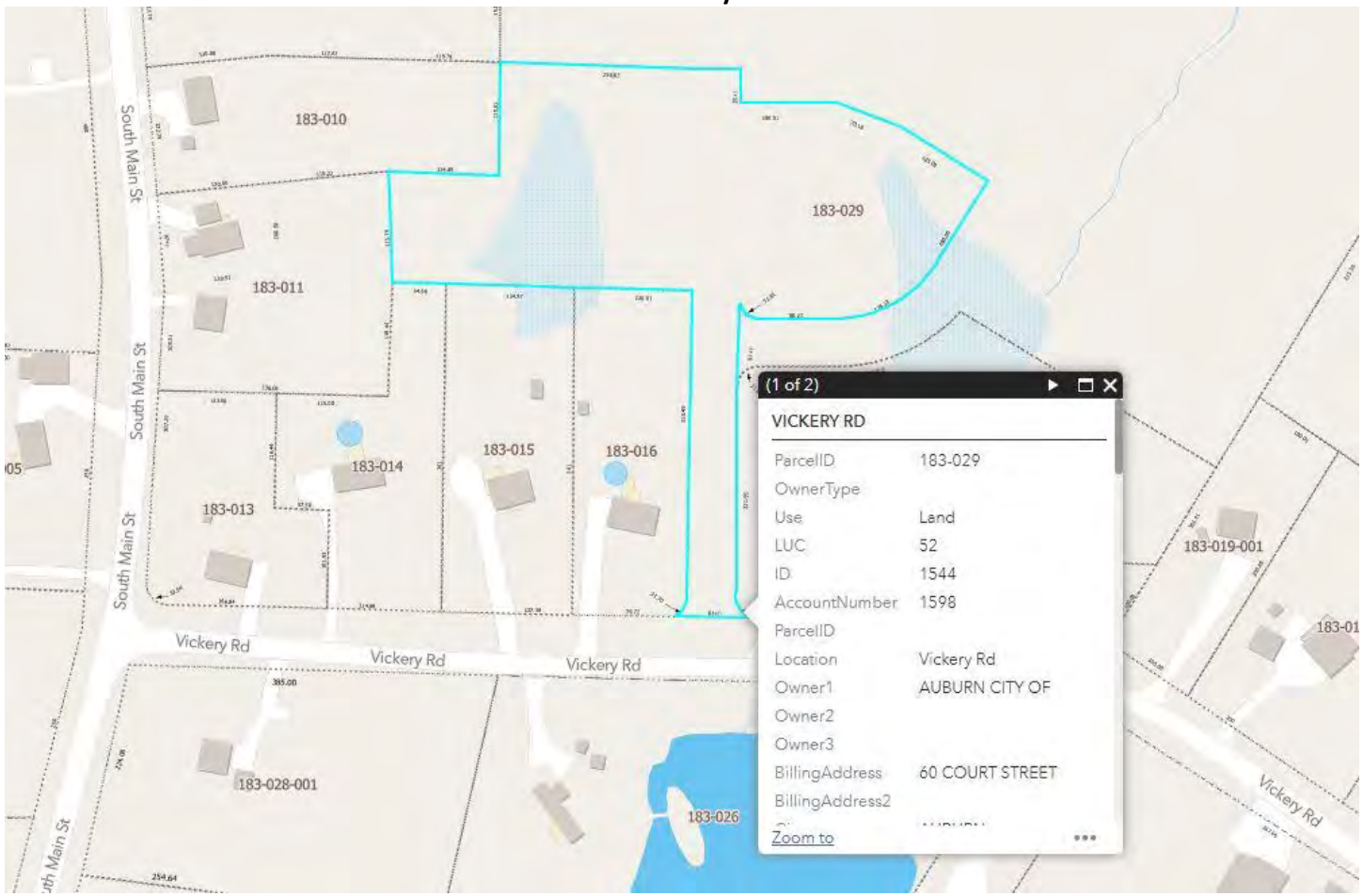
369 Main Street
.4 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



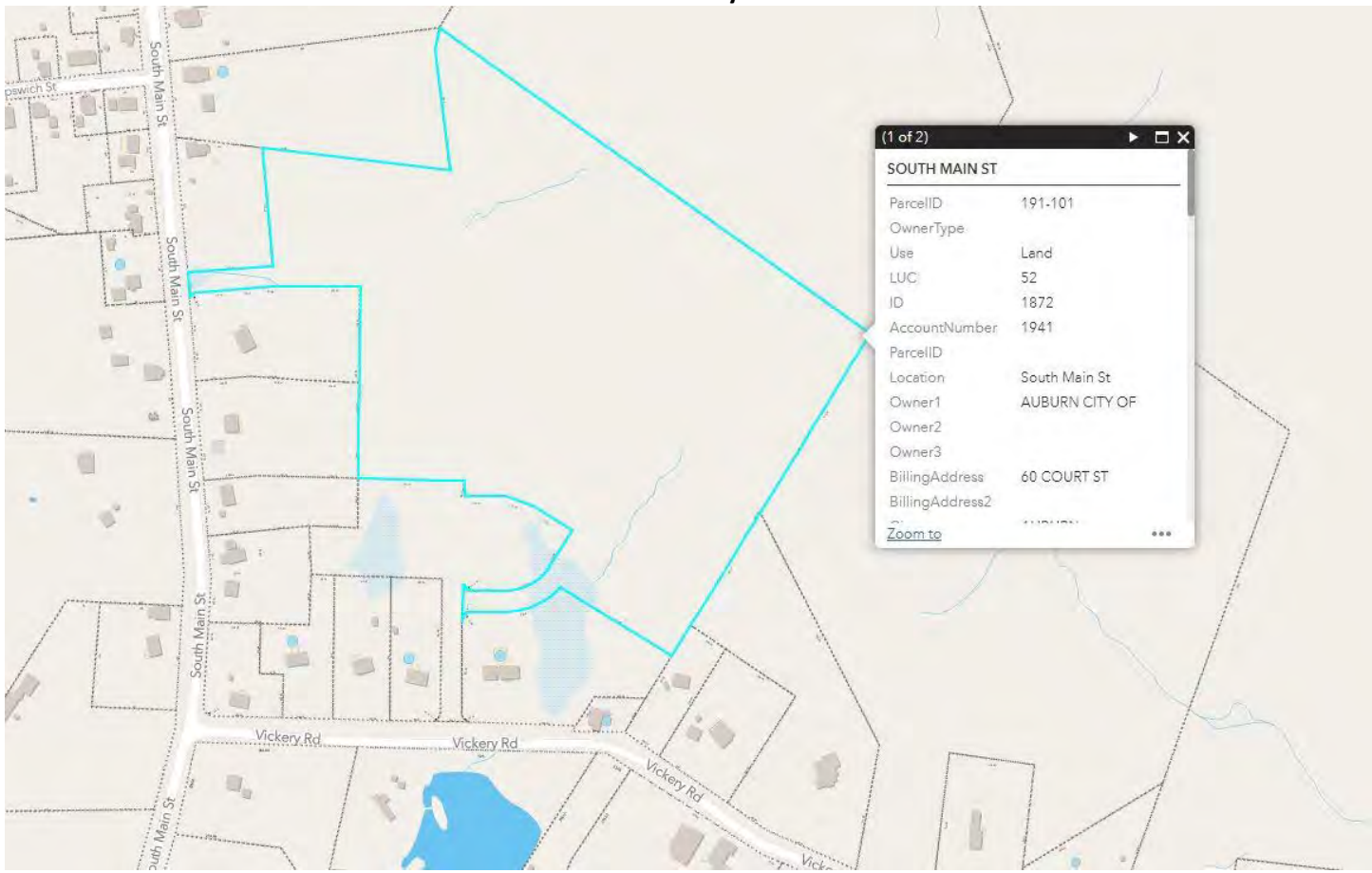
351 Main Street
.15 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



Vickery Road
Parcel ID 183-029
3.01 Acres +/-
Zoned: Multifamily Suburban



Winter Oaks Property
Parcel ID 191-101
34.24 Acres +/-
Zoned: Multifamily Suburban



ORDER 88-06062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 11 city-owned properties with the city's contracted real estate broker as identified below:

Address	Description
86 Western Ave	Parcel ID: 230-026
192 Winter Street	Parcel ID: 260-022
104 Newbury Street	Parcel ID: 221-067
103 Newbury Street	Parcel ID: 221-058
115 Newbury Street	Parcel ID: 221-055
16 Newbury Street	Parcel ID: 231-035
14 Newbury Street	Parcel ID: 231-034
369 Main Street	Parcel ID: 221-044
351 Main Street	Parcel ID: 221-048
Vickery Road Property	Parcel ID: 183-029
Winter Oak Property	Parcel ID: 191-101

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 6, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
Monday, June 27, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Zoning amendments (Court Street) – Eric Cousens and John Blais
- **B.** ARPA discussion – Phil Crowell
- **C.** Street Trees – Denis D'Auteuil
- **D.** Public Safety Building – Brian Wood

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Gerry

Pledge of Allegiance

I. Consent Items - None

II. Minutes

- June 6, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

VI. New Business

1. Order 89-06272022
Amending Order 68-06062022, previously adopted by the Auburn City Council on June 6, 2022 regarding the first Council meeting in July.

2. Order 90-06272022

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

3. Order 91-06272022
Authorizing the City Clerk to waive the $60 business licensing fee (Temporary Food Service License) as requested by Auburn resident, Beth Woodhead who would like to sell whoopie pies to raise funds for Auburn School Department's Odyssey of the Mind.

4. Order 92-06272022
Adopting the HOME consortium agreement.

5. Order 93-06272022
Allocating $1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

6. Order 94-06272022
Amending Order 137-12062021, previously adopted by the Auburn City Council on December 6, 2021.

7. Order 95-06272022
Allocating $100,000.00 of American Rescue Plan Act (ARPA) funds for the OpBox and Kayak Rental Kiosk.

8. Ordinance 17-06272022
Re-adopting the ward maps and descriptions that were adopted on 3/17/2014 using the 2020 census block references. Public hearing and first reading.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – May 2022 Final Monthly Report

IX. Executive Session

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

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop: June 27th, 2022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

I. **Information**: The comprehensive plan update adopted on December 6, 2021, identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended as follows by the Planning Board on June 21, 2022: *Residential uses should be allowed at a density driven by the form, lot size and configuration of the lot with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 25 feet max. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

1.) All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2.) Residential Facilities allowed with special exception approval from the Planning Board.
3.) Lodging allowed with special exception approval from the Planning Board.
4.) Personal Services allowed with special exception approval from the Planning Board.
5.) Age restricted retail not allowed.
6.) Restaurants with over 30 seats not allowed.
7.) Government offices allowed with special exception approval from the Planning Board.
8.) Parking requirements (public or private) may be provided within 500 feet of the establishment for all FBC.
9.) Office, Service and Retail Use limited to 1,500 SF footprint and must include a residential unit, no drive through businesses allowed.
10.) Multifamily allowed with special exception approval from Planning Board.
11.) Artist studios and performing arts centers allowed with special exception
12.) Setbacks from a minimum of 5 to a maximum of 15 to a minimum of 5 to a maximum of 25 foot or 25% of the lot whichever is more (Staff does not recommend 25%-could lose form of residential lots on larger parcels).

The Planning Board and Council considered an approach to this, that staff has recommended be voted in favor of a new approach to create a new zoning district that better fits the area and incorporates a text component of new zone T-4.2B as recommended earlier by the council and planning board. A draft of the Codification is attached as well as the Draft findings of staff report to planning board.

Staff Recommended Action: Staff suggests council discuss the proposed changes and schedule the creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B for a first reading and public hearing as recommended by the Planning Board on July 18, 2022.

Previous Meetings and History: January 3rd Council Discussion Initiation, March 21,2022 Council First Reading and February 8th and March 8, 2022, Planning Board, June 21st Planning Board Meeting

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City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Comp Plan Update - Future Land Use Chapter Excerpts, draft finding of staff report Planning Board Recommendation as amended on June 21st, Ordinance.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

DRAFT FOR REVIEW AND FINALIZTION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022, the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

"I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception"

Motion: Evan Cyr; Second: Riley Bergeron

"I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more."

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

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Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval."

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: **PUBLIC HEARING: Zoning Map Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**)

DIVISION 14. FORM BASED CODE[1]

Subdivision I. In General

Sec. 60-546. Purpose.

The purpose of the form based code is to:

(a) Provide a building development pattern that is based upon the built environment's physical form and its relationship to the public realm and the private realm.

(b) Allow for a diversity of uses appropriate and compatible to the designated district area.

(c) Provide a more accelerated building design, review, approval and construction process.

(d) Deliver a more predictable building development outcome that is consistent with the traditional pedestrian-oriented street-building development pattern.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

(Ord. No. 04-03072016, 5-16-2016)

[1]Editor's note(s)—Ord. No. 04-03072016, adopted May 16, 2016, repealed former Div. 14, §§ 60-546—60-549, in its entirety and enacted new provisions as herein set out. Former Div. 14 pertained to the central business district and derived from Ord. of 9-21-2009, §§ 3.69A—3.69D; Ord. of 2-16-2010.

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

Illustrative View of T-4.1 (Main Street)

Intent and Purpose:
Traditional Main Street Neighborhood (T-4.1)

The Main Street Neighborhood district is designed to continue the existing pattern of large houses set along Main Street. This area is characterized by front porches, residential front yards and front doors facing the street. T-4.1 promotes a lower-density and less concentrated pattern of buildings along the street, while maintaining a pleasing, connective and compact multi-modal environment.

Characteristic Features

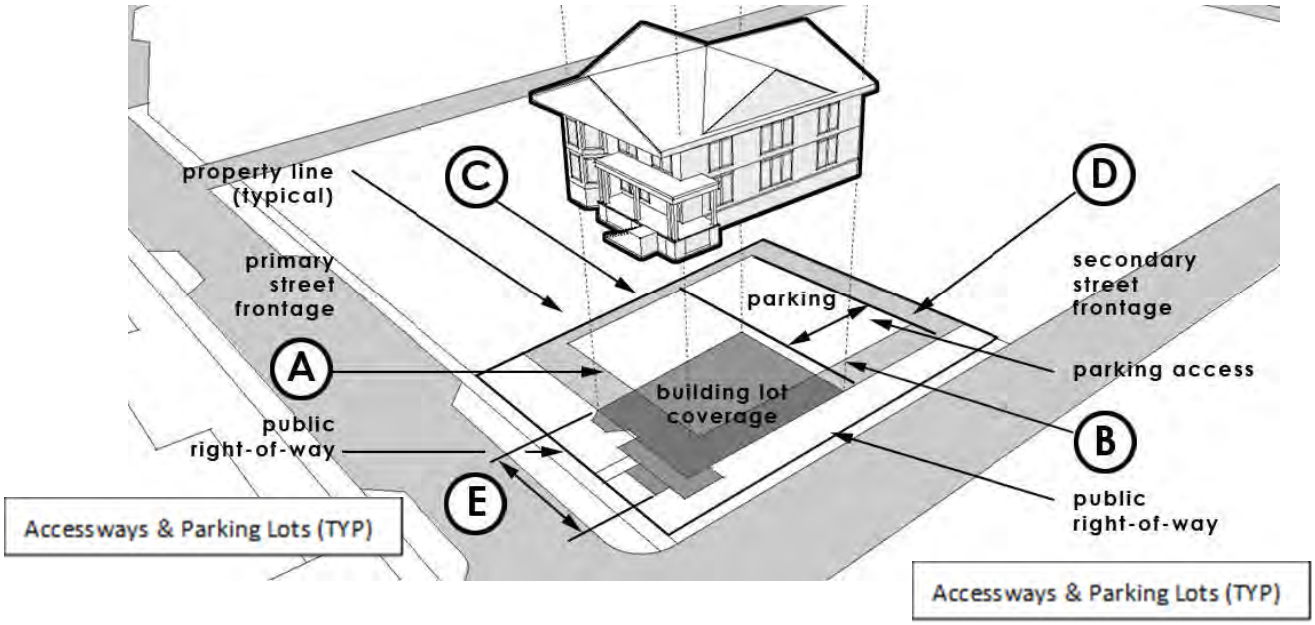
- Front lawns
- Front facade detailing
- Frontage fences
- Porches
- Bay windows
- Foundation planting and yard landscaping
- Street Trees
- Lower Density

Examples of Main Street Neighborhood - T-4.1

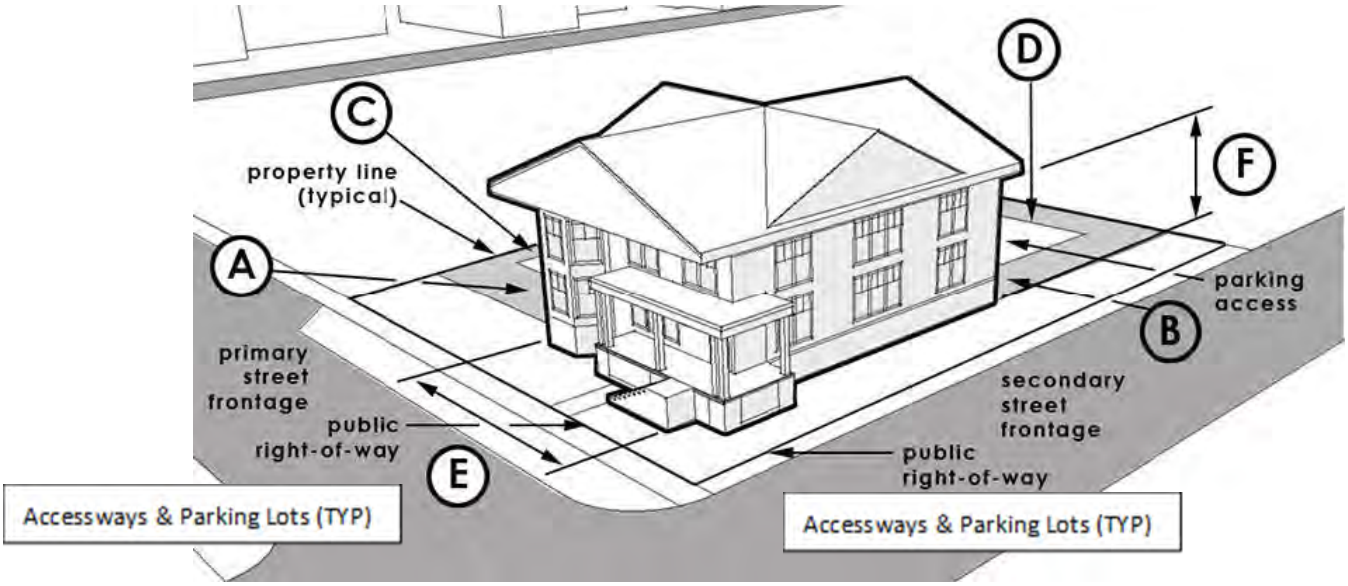
(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.1. Building placement and configuration T-4.1.

Elevated Building Placement



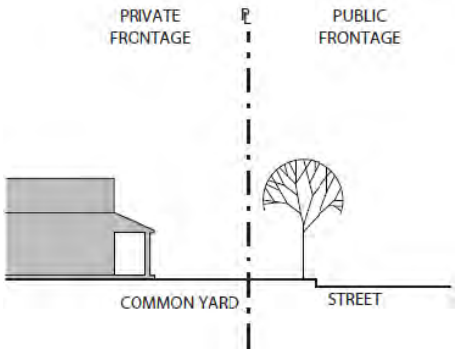
Building Placement on Lot



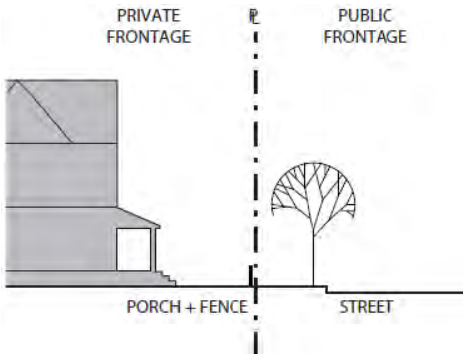
PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	15 ft. Min. 25 ft. Max.	(A)
(Corner Lot) Front Setback, Secondary:	15 ft. Min., 25 ft. Max	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	60% Max.	
Useable Open Space:	20% Min.	
Frontage Build-Out:	40% Min. (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 64 ft. Max.	(E)
Building Height Minimum:	2 Story Min.	(F)
Building Height Maximum:	2 Story Max. (excluding attic story)	(F)

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.2. Building frontages types T-4.1.



Common Yard



Porch Yard

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard

BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Building Frontage Facades:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation:	The ground story shall be a minimum of 2 feet and 6 feet maximum above the front yard elevation (average grade).
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.3. External elements T-4.1.

Front Yard Fence:	A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. Chain link, vinyl, split rail, or barbed wire is not allowed.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum or maximum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 10 ft. maximum. Front Setback, Secondary Frontage 10 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or

	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

(Insert Image)

Intent and Purpose:
Traditional Neighborhood (T-4.2B)

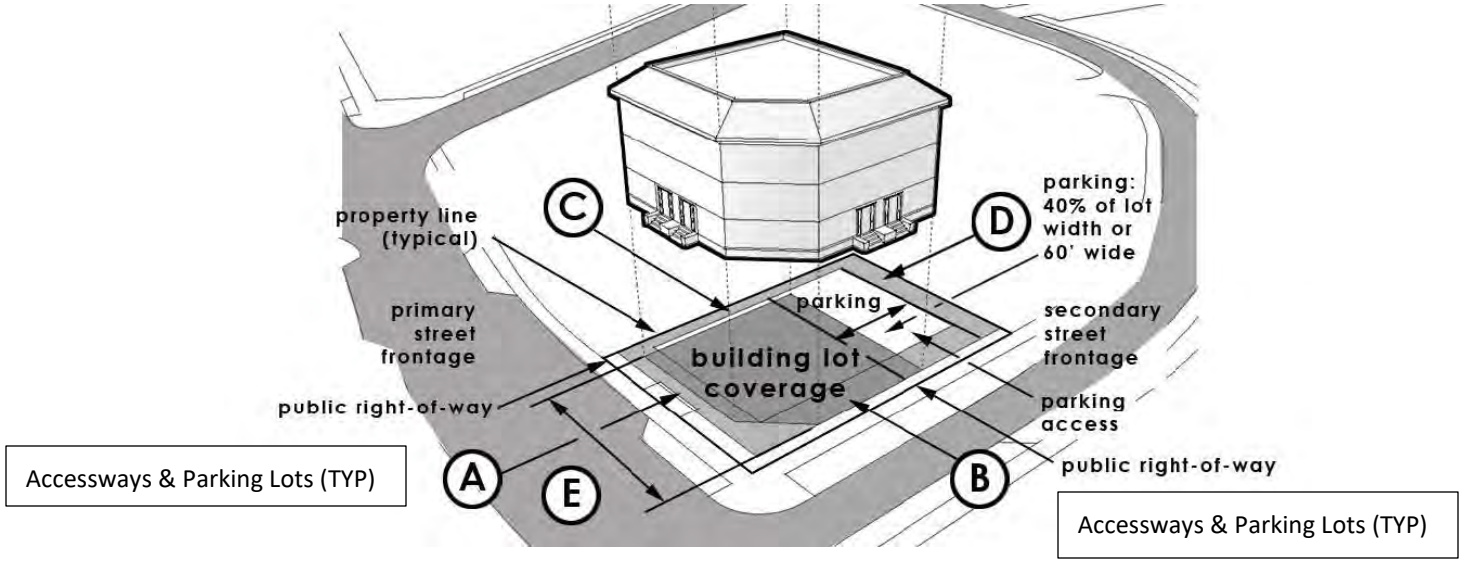
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

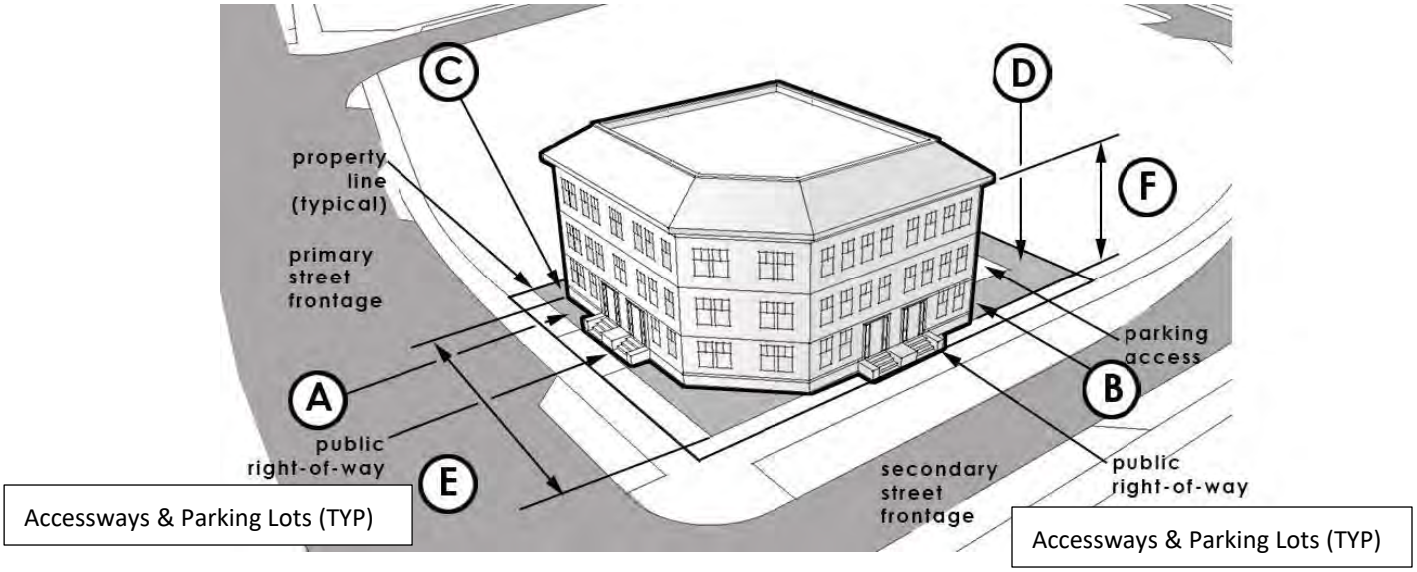
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1B. Building placement and configuration T-4.2B.



Elevated Building Placement

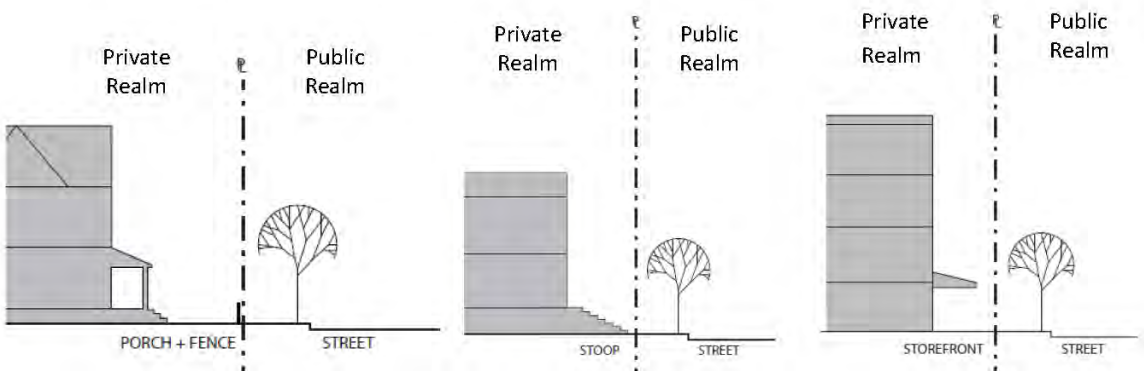


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 25 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2B. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

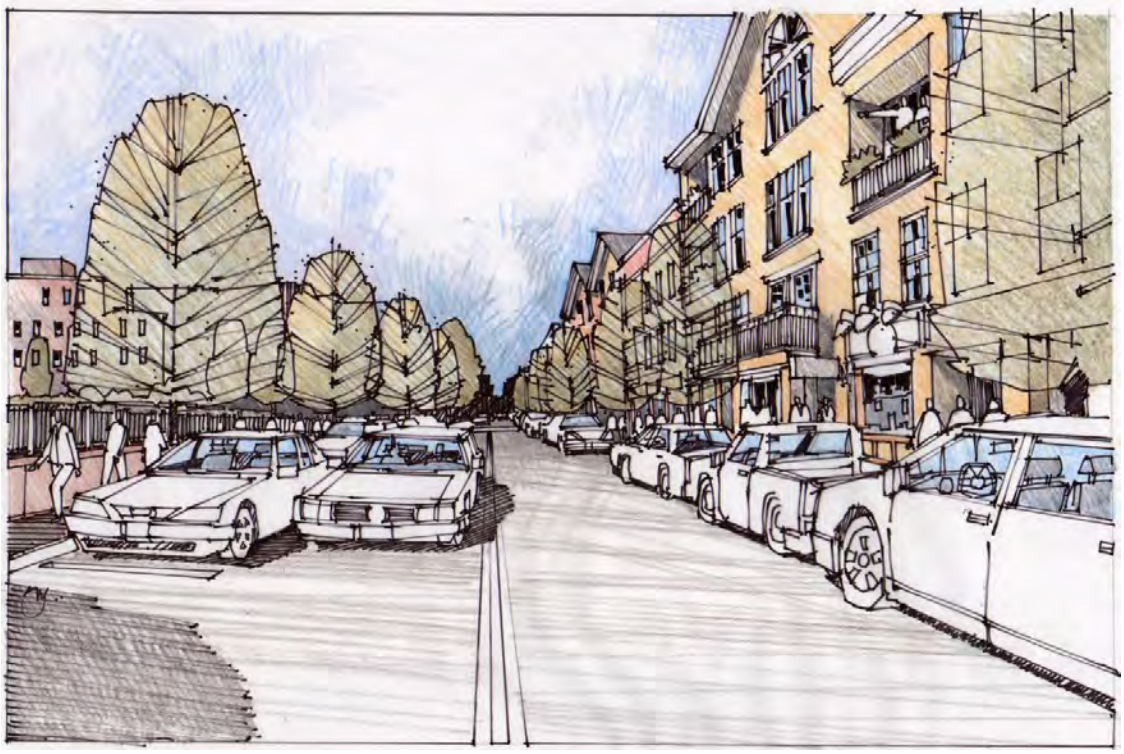
(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3B. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)



Intent and Purpose:
Traditional Downtown Neighborhood (T-4.2)

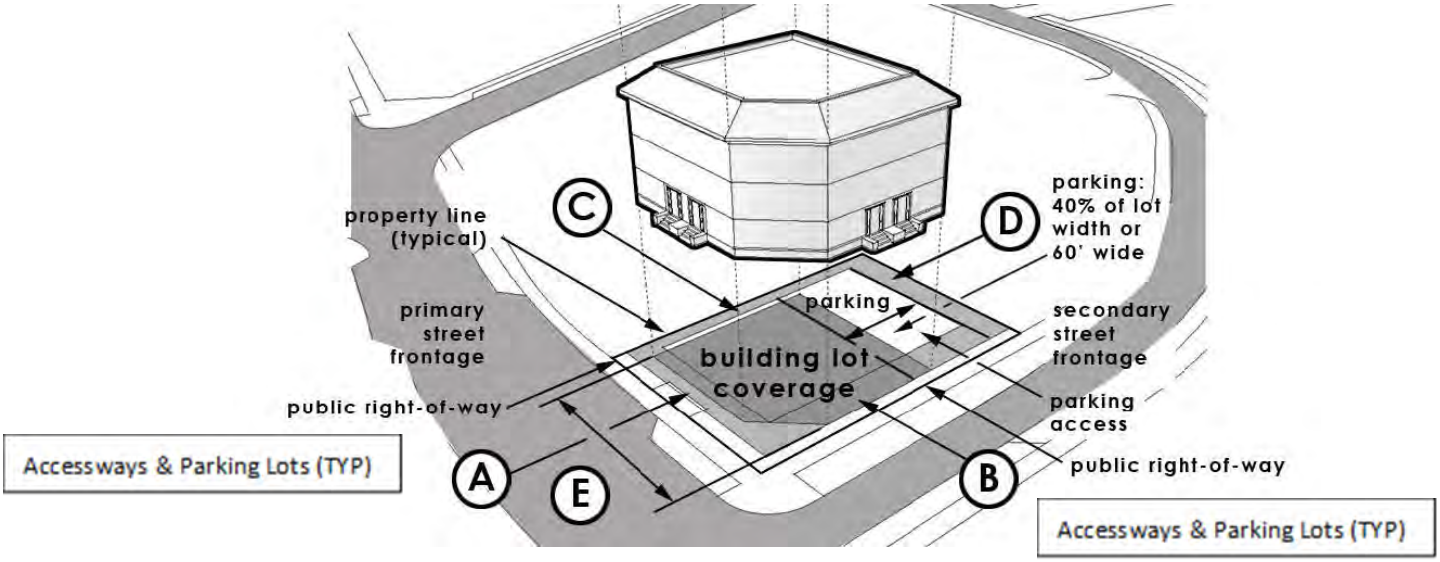
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

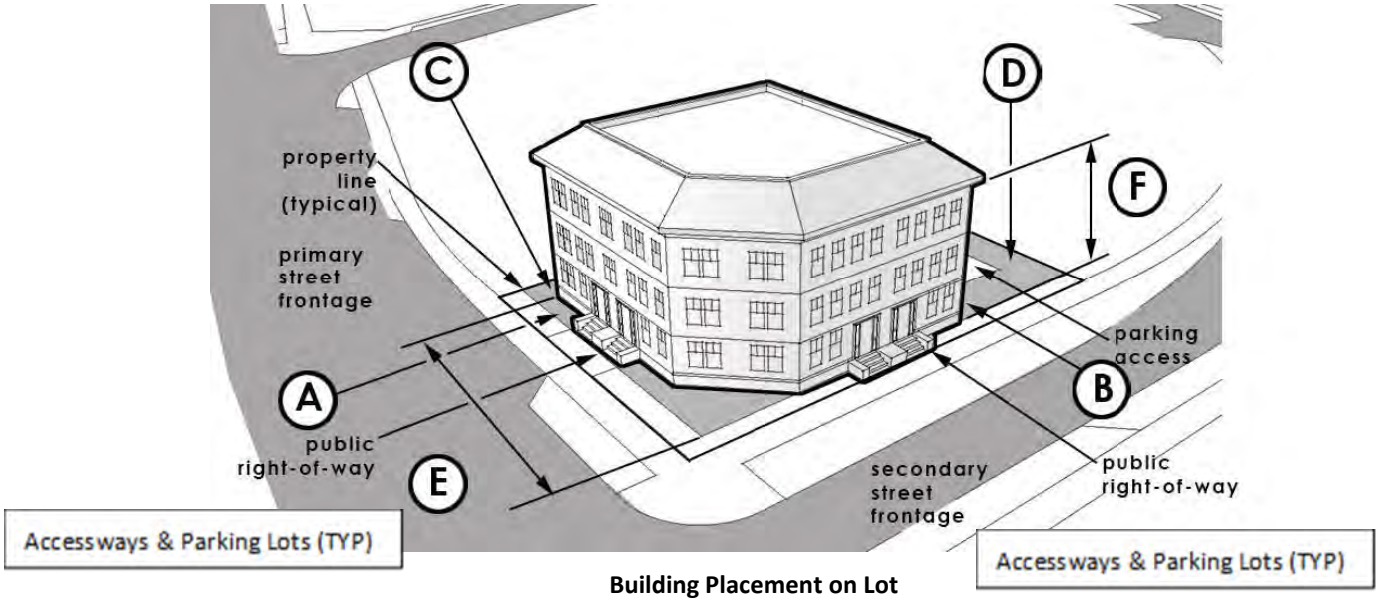
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1. Building placement and configuration T-4.2.



Elevated Building Placement

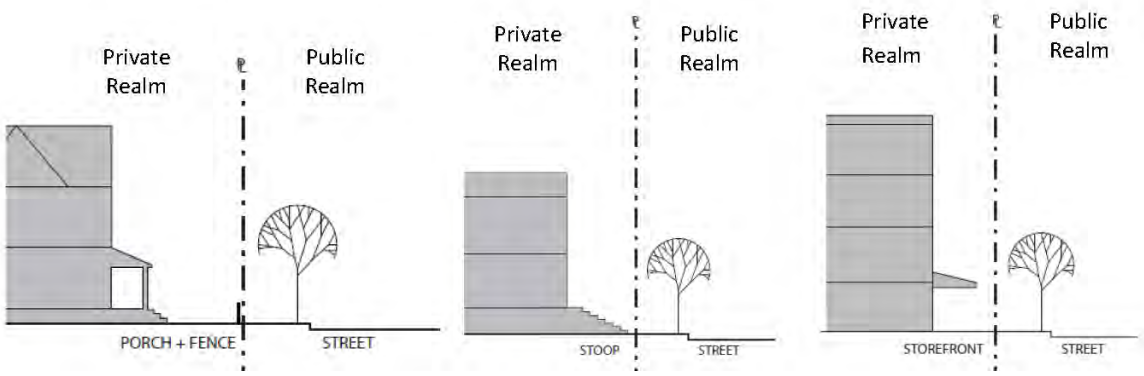


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2.



Common or Porch YardStoop Yard FrontageStorefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4,5)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service Type Use							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None

Retail Type Use							
General Retail	S	S	S	P	P	P	None
Age Restricted Retail (3)	S	X	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		X	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	S	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.1 T-4.2, T-4.2B, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must include a residential unit, no drive through businesses allowed.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

(1) The form based code shall regulate areas designated as form based code districts.

(2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

(3) Site plan/special exception. Any project located within a form based code district that requires special exception or site plan review shall comply with section 60-45.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-556. Form based code plan types.

(a) *Administrative types.*

(1) *By right.* No permits are required for projects such as normal maintenance or for new structures under 200 square feet.

(2) *Minor administrative.* Projects that require permits and comply with all form based code or zoning regulations, may be approved and permitted by the appropriate city departmental staff and will not require multiple departmental or planning board approval. These projects can be applied for at any time.

(3) *Major administrative.* Projects that do not qualify as a Subdivision. Special exception or site plan review type plans and comply with all form based code or zoning regulations, but due to multiple issues, will require review by the multiple city departmental staff.

(b) *Discretionary type plans.* The following plan types shall require review and action by the planning board.

(1) Subdivisions of three or more lots over a five-year period or a project creating more than three dwelling units. (Subdivision Review).

(2) Any project listed as special exception or "S" in section 60-554, Use and Parking Matrix Chart. (Special Exception and Site Plan Review).

(3) Any project within the form based code district proposing a total of 12,000 square feet of new construction, all floors included. (Special Exception and Site Plan Review).

(4) Any amendment to an existing discretionary plan that increases existing square footage more than 25 percent.

(5) Any project located within the form based code district area that seeks a waiver from the adopted form based code regulating development standards shall submit a complete Special Exception and Site Plan Review application for Planning Board review and action.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-557. Applicability.

(a) Any minor, major administrative type plan and/or discretionary plan, as defined in section 60-556, located within a form based code district, shall be required to submit a development review application prior to any issuance of building permits or development activity.

(b) Any development activity on or within property located with the form based code district shall be reviewed for compliance with applicable form based code or zoning ordinance regulations.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-558. Form based code development application procedure.

(a) *Administrative type plan application process.*

(1) Applicant identifies the subject property's zoning/transect district and determines what plan type the project is.

(2) Applicant reviews the project's compliance for form based code development standards, sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance Regulations.

(3) Pre-development consultation. All administrative type plan applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the property's form based code or zoning district and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Any minor or major administrative plan or discretionary plan applicant in a form based code district shall complete and submit a cover letter describing the project, a development review application, a form based code development checklist and the appropriate application fee and number of applications to the planning office.

(5) All form based code applications will be reviewed by the planning staff for completeness and applicant will be notified within five working days if the plan is deemed complete and whether the plan is administrative or discretionary. The applicant is responsible for working with the planning staff to correct any deficiencies needed to be accepted for further review.

(6) Type 2 and 3 administrative plans will be reviewed by the appropriate city departmental staff or other relevant agencies who will recommend approving, disapproving or postponing to allow for time to correct the application. The director of planning will notify the applicant of the decision in writing within 15 calendar days of its receipt of a completed application.

(7) The director of planning shall have the authority to require an administrative plan to be considered by the planning board and notify the applicant the justifications for doing so.

(b) *Discretionary project application process.*

(1) Applicant identifies subject property's zoning/transect and determines what plan type the project is.

(2) Applicant reviews the project's compliance for the applicable form based code development standards sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance regulations.

(3) Pre-development consultation. All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the form based code or zoning regulations and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Discretionary plan applicants will submit; a development review application, a form based code development checklist the appropriate application fee and number of applications to the planning office for review and consideration by the planning board according to their normal submission deadline and meeting schedule.

(5) Applications not meeting all the requirements of the form based code may include waiver as per section 60-1312 or variance requests as part of their application.

(c) *Waiver requests.*

(1) Any waiver request of form based code standards and requirements must identify what is regulation is being requested for the waiver and include a narrative explaining how the waiver, if approved, will allow the project to meet the purpose of the form based code and the objective of section 60-1277, site plan review.

(d) *Planning board approval.*

(1) The planning board shall approve, approve with conditions, disapprove or postpone based on its review of the application meeting all existing requirements, conditions, criteria and provisions of special exception, site plan review. Subdivision law and any other relevant procedural requirement of Chapter 60, Zoning, as part of its consideration of a form based code application.

(2) The planning board shall provide findings for approval or disapproval based on the application's meeting the purpose of the form based code.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 41, 3-15-2021)

Secs. 60-559—60-576. Reserved.

DRAFT

City Council Ordinance

IN CITY COUNCIL

Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

Be it ordained, that the City Council approve the creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B as recommended by the Planning Board on June 21, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022

Author: Phil Crowell, City Manager

Subject: ARPA FUNDING UPDATE

Information: City Manager will provide an update on:

- Non-Profit grant awards (spreadsheet attached)
- Sustainable Energy Matching Rebate Awards:
    - As of 6/23/2022 – 144 rebates were issued
    - State rebate program issued a total $120,518.40 in rebates
    - Auburn's rebate program issued total of $105,524.00 in rebates
- Auburn Sewer Storage Tank
    - The Auburn Sewerage District has procured a $4 million-dollar general resolution bond to cover their share of the up-front contribution to the construction of a storm surge tank to be located at the Lewiston Auburn Water Pollution Control Authority (LAWPCA). In order to fund this bond (and maintain adequate cash on hand for operational expenses), the district is planning to implement a 9.5% rate increase this year beginning on Oct. 1, and possibly a 7% increase in 2025. **If the City were to contribute $1.5 million in ARPA funds to this project, we could decrease the rate increase to 4.5% this year and 6.6% in 2025.** This contribution would save the average residential sewer customer $22/yr. and the City of Auburn would save approximately $2,800/yr.

City Budgetary Impacts: None

Staff Recommended Action: None

Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- 2022 ARPA Non-Profit allocations to date
- Auburn Sewer District Funding Request
- Memo to City Council Request for Funding

APRA NON-PROFIT GRANT ALLOCATIONS

DATE	NON-PROFIT ORGANIZATION	FOR	GRANT ALLOCATION	BALANCE
	COUNCIL APPROVED ALLOCATION	**CRITERIA: Auburn - outdoor - recreation activities and must be a non-profit organization.**		**$ 50,000.00**
6/9/2022	YMCA - Auburn	Scholarships for Summer Kids Camp - Outdoor activities	$ 10,000.00	**$ 40,000.00**
6/13/2022	Auburn Ski Association	Covid-19 Revenue Loss - unable to hold annual Ski Swap for 2 years. Funding will allow for the purchase of ski/snowboard equipment for the 2022 swap.	$ 10,000.00	**$ 30,000.00**
6/16/2022	Blais Hoops Acacemy / Maine Basketball Club	Will provide 20 Auburn participant scholarships to attend summer hoop camp - ($500 each for training, practices, games, uniforms)	$ 10,000.00	**$ 20,000.00**
	PENDING			
6/16/2022	Auburn Suburban Little League	Request for **$10,000** - Recommended CDBG allocation **$3,000.**		

Auburn Sewerage District

Memo

To: Steve Milks, Auburn City Council Rep to Sewerage District

From: Sid Hazelton, P.E., Superintendent

CC:

Date: 5/17/2022

Re: Stormwater Storage Tank Request for Funding

On behalf of the Auburn Sewerage District, I am respectfully requesting consideration from the Auburn City Council to utilize a portion of the Cities ARPA funds to contribute towards the construction of a Combined Sewer Overflow Storage Tank to be located at the Lewiston Auburn Water Pollution Control Authority (LAWPCA). Justification for this project is further explained in the attached letter I sent to the Auburn City Manager on 11/19/2021.

I received no response to that request, as I was informed that the committee that considered requests had been dissolved pending assignment of new City Councilors. In a meeting with City Manager Phil Crowell today, he informed me that requests were being directly considered by the City Council, and I should reach out to you as the Auburn City Council Representative.

As you know, we have procured a $4 million dollar general resolution bond to cover our up-front contribution to this project.

In order to fund this bond (and maintain adequate cash on hand for operational expenses), we are looking to implement a 9% rate increase this year beginning on Oct. 1, and a possibly a 7% increase in 2025.

If the City were to contribute $1 million in ARPA funds, we could postpone rates for one year, or decrease to 5.5% this year and 7.5% in 2025.

If the City were to contribute $2 million in ARPA funds, we could postpone a 9% rate increase for two years or decrease to 3% this year and approximately 4% in 2025.

I appreciate you bringing this request before the City Council.

Please let me know if you have any questions, or need more information.

(207) 784-6469

(207) 784-6460

AUBURN SEWERAGE DISTRICT

268 COURT ST. - P.O. BOX 414

AUBURN, MAINE 04212-0414

Auburn City Building
Attn: Phil Crowell, Auburn City Manager
60 Court Street
Auburn, Maine, 04210

11/19/2021

Dear Phil,

At the monthly Auburn Sewerage District Trustee meeting on 11/16, the Trustees unanimously voted to respectfully request utilizing a portion of the Cities ARPA funds to construct a Combined Sewer Overflow Storage Tank.

As mandated by the Maine Department of Environmental Protection, we anticipate beginning construction of a 2 million-gallon Combined Sewer Overflow Storage Tank to be located at the Lewiston Auburn Water Pollution Control Authority (LAWPCA) beginning around 2025. Based upon similar projects, we assume a total project cost of approximately $25 million dollars. In 2020, CDM Smith was hired to complete a cost apportionment study, which resulted in a 70% Lewiston/30% ASD split. This roughly equates to $17M for Lewiston, **$8M for ASD**. Currently Consultant Woodard & Curran is working on tank siting, hydraulic evaluation, Geotech, and plant optimization in order to size the tank.

Lewiston has earmarked a portion of their $22 Million ARPA money to pay for their share of the tank.

We are requesting that the City of Auburn match Lewiston's effort, and contribute $8 million to pay for Auburn's share of the tank.

Installation of the storm surge tank will be the culmination of decades of stormwater separation projects that the City of Auburn has funded as partners with the Auburn Sewerage District. Once completed, this project will assure that untreated wastewater will not be discharged to the Androscoggin River during heavy rain events. This project will be instrumental in improving recreational opportunities in and on the river, and be a crucial step in eventually upgrading its classification.

Not only will funding this project benefit Auburn residents: it will be an opportunity for the ARPA funds to benefit Auburn's businesses and industries, as the majority of them are Auburn Sewerage District customers. Without assistance, the ASD may need to implement substantial rate increases to cover construction costs.

On behalf of the Trustees, thank you for your consideration. If you have any questions, or need more information on the project, please contact me at your convenience.

Sincerely,

Sid Hazelton, P.E.
Auburn Sewerage District Superintendent

Auburn Sewerage District

Memo

To: Steve Milks, Auburn City Council Rep to Sewerage District
Phil Crowell, City Manager

From: Sid Hazelton, P.E., Superintendent

CC:

Date: 6/22/2022

Re: Stormwater Storage Tank Request for Funding

On behalf of the Auburn Sewerage District, I am respectfully requesting consideration from the Auburn City Council to utilize a portion of the Cities ARPA funds to contribute towards the construction of a Combined Sewer Overflow Storage Tank to be located at the Lewiston Auburn Water Pollution Control Authority (LAWPCA).

This memo is written as a modified request following a letter I sent you on 5/19/2022 (attached), and a meeting we had with, Leroy Walker, Eric Cousens, Mike Broadbent, you two, and myself on Wednesday June 15, 2022.

Justification for this project is further explained in the attached letter I sent to the Auburn City Manager on 11/19/2021.

I understand the Council was informed of this project a few months ago in a workshop that was presented by LAWPCA Superintendent Travis Peaslee.

As you know, we have procured a $4 million dollar general resolution bond to cover our up-front contribution to this project.

In order to fund this bond (and maintain adequate cash on hand for operational expenses), we are looking to implement a 9.5% rate increase this year beginning on Oct. 1, and a possibly a 7% increase in 2025.

If the City were to contribute $1.5 million in ARPA funds, we could decrease the rate increase to 4.5% this year and 6.6% in 2025.

As outlined in the agenda packet narrative, this contribution would save the average residential sewer customer $22/yr, and the City of Auburn would save approximately $2,800/yr.

I appreciate you bringing this request before the City Council.

Please let me know if you have any questions, or need more information.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022

Author: Phil Crowell, City Manager

Subject: Forestry Board and Tree Streets

Information: On March 21, 2022, Dave Griswold and Councilor Staples provided an update on the development of a street tree sustainability ordinance in order to provide information, planning and resources necessary to ensure the long-term viability and sustainability of the street tree component of the community forest.

Reasons for this ordinance:

1. The street tree component of the community forest has declined over time due to limited resources applied to maintain it.
2. Emerald Ash Borer (EAB) is a looming threat that is almost certain to impact Auburn's 430 ash street trees in the next decade.
3. This proposal is the result of discussions of the Community Forest Subcommittee of the former Conservation Commission, the former Conservation Commission, a City Council Workshop, the Sustainability and Natural Resources Management Board, from September 2021 to present.
4. This proposed ordinance provides for data collection, planning and budgeting necessary to address a significant sustainability issue.

City Budgetary Impacts: $25,000 was allocated during the FY23 appropriation to implement this ordinance.

Staff Recommended Action: Passage after a legal review.

Previous Meetings and History: March 21, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed ordinance and the Public Works policies for the implementation of the new ordinance.

AUBURN PUBLIC WORKS | Standard Operating Procedure

Subject: Asset Management	**Effective Date:** 09/22/2021	**Review Date:**
Distribution: All Personnel	**Approved By:** Denis D'Auteuil, Director	

Policy
The purpose of this policy is to direct and guide agency staff undertaking asset management practices in a systematic and coordinated way, in a manner which supports the City of Auburn's goals and objectives. Specifically, it addresses the need to:

- Provide consistent and accurate means of tracking and reporting on the city's assets, while improving decision-making, accountability, and transparency
- Provide a framework that will enable the city to implement plans, define goals, and work toward medium- and long-term sustainability, and to demonstrate fiscal stewardship
- Meet city's financial and strategic planning goals and requirements

Scope & Vision
Asset management is a broad strategic framework that encompasses many disciplines and involves the entire organization. To achieve established goals for infrastructure assets, Auburn Public Works will be guided by the statements and action steps set forth in this policy.

Auburn's goal for the community is a safe, livable, sustainable, and economically vibrant community, fortified by well-managed and maintained municipal assets. This goal will be met through investing in, maintaining, and mindful replacement of the assets for which our agency is responsible. Our goals include ensuring:

- Safe and well-maintained roadways, sidewalks, parks, and playgrounds
- Safe, dependable facilities, vehicles, and equipment
- Lowest total life cycle asset costs and
- Strategic decision-making (not necessarily taking care of/replacing assets that are in the 'worst condition' first)

This policy is intended to compliment the City of Auburn's Strategic Asset Management Plan (in development; scheduled for implementation in 2022).

Assets
Assets referred to in this policy include:

- Streetlights
- Street furniture
- Roads
- Facilities
- Trees
- Light pole banners
- Traffic lights
- Street trees
- Cemeteries
- Catch basins/drainpipes
- Playgrounds
- Parks

- Sidewalks
- Curbs
- Guardrails and
- Vehicles

Action Steps

Auburn Public Works' asset management efforts will be focused on:

- Maintaining an inventory of all assets (defined above), which can take several forms, including spreadsheets, GIS maps, etc.
- Implementing asset inspection schedules and preventive maintenance schedules, which will vary depending on the asset (any inspection/preventive maintenance schedules are established by other APW policies)
- Using asset management software (Lucity) and other technology for tracking
- Establishing asset replacement strategies, including life cycle expectancy, cost, and condition assessment, then
- Planning financially for the appropriate level of asset maintenance to deliver established service levels and extend the useful life of assets
- Planning and budgeting for asset replacement, most often as part of the city's CIP budget process, including justification
- Participating in city-wide infrastructure planning and investment to ensure the needs of the municipality will be met in the future

As part of asset management planning, the city may also consider actions that may be required to address vulnerabilities and risks to the city's infrastructure assets with regards to:

- Operations
- Levels of service
- Lifecycle management
- Disaster and incident planning

The City of Auburn will continue to follow all relevant regulations and requirements for capital asset reporting and asset management, including those of the Governmental Accounting Standards Board (GASB), and the City's Comprehensive Annual Financial Report (CAFR).

AUBURN PUBLIC WORKS | Standard Operating Procedure

Subject: Master Street/Landscape Management Plan	Effective Date: 06/06/2017	Review Date: 10/02/2020
Distribution: All Personnel	Approved By: Dan Goyette, Director	

Policy

An Urban Forest consists of all trees and shrubs found in a City or Town. These trees and shrubs coexist with buildings, asphalt, cars, power lines, and people. An Urban Forest adds tangible property value, temperature and precipitation control, water conservation, noise insulation, visual buffering and improved air quality.

While an urban forest provides numerous aesthetic and economic benefits, it can impose dramatic costs upon a community if it is not properly managed.

The Auburn Public Works Master Street/Landscape Management Plan will:

1. Define species to be planted
2. Outline planting/spacing requirements
3. Establish pruning, replacement and removal guidelines
4. Establish and maintains a comprehensive tree inventory (number, condition, size, species, planting sites, etc.)
5. Define future goals

1. Species

The City Arborist and Public Works maintain a tree inventory. The inventory includes an analysis of the number of trees, species, size, condition, and diversity. The inventory also includes an assessment of potential planting sites throughout the City.

The tree inventory shows that the predominant existing species is the Norway Maple. Other species seen frequently are Silver Maple, Sugar Maple, Red Maple Oak, Little Leaf Linden, White Pine and Ash.

Future plans include continuing to add more diverse species, incuding: Oak, Red Maple, Ginkgo and ornamental trees (crabapple, lilac, etc.). Planting of Norway Maple, Silver Maple and Ash will be avoided.

2. Planting/spacing requirements

The ideal planting space for a tree offers a six-foot square planting space. However, a realistic planting space could be smaller. Small, ornamental trees require 20 feet of planting space; large trees require 40 feet.

Efforts should be made to plant at least 30 feet from an intersection; at least five feet from a driveway; and no less than twenty feet from any other tree. It is imperative to avoid overhead and underground utilities. Dig Safe is contacted whenever planting using mechanical means.

Planting

- Measure the height and width of the root ball.
- Using root ball measurement, dig the hole. Place three fertilizer tablets in the hole.
- Put the tree in the hole.
- Backfill with the same soil, making sure the trunk is straight. Put the original soil back in the hole, breaking up large clods, and working it with your hands or a shovel. Mix in higher quality soil if needed. Water the root ball and the entire backfilled area.
- Put a 2 to 4-inch layer of mulch over the backfilled area. Pull mulch away from the trunk so that none touches the bark. There should never be more than 4 inches of mulch over the roots.
- Stake the tree using a tree staking kit. The tree should not be tied tightly. Remove stakes after 1-2 years.
- Newly planted trees should be monitored and watered weekly for the first few months (weather-depending).

3. Pruning, Replacement and Removal

Pruning healthy trees require a regular pruning schedule to preserve and control their health and appearance.

Pruning is conducted on an as-needed basis, prioritized by:

- sight distance/visibility issues
- vehicle clearance issues
- citizen requests
- road reconstruction projects
- staff-generated issues

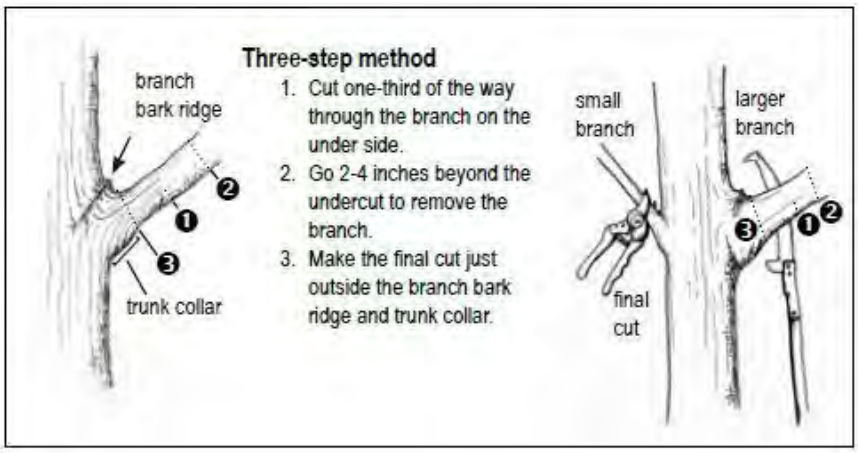
Central Maine Power will be contacted when pruning is required near power lines

Pruning Procedure:

Proper PPE is required. Support the branch with one hand while you make the cut to prevent the bark from ripping. If the branch is too large to support, use the three-step method:

- Cut one third of the way through the branch on the underside
- Go 2-4 inches beyond the undercut to remove the branch
- Make the final cut just outside the branch bark ridge and trunk collar

For the final cut, look for the branch bark ridge and trunk collar. Begin the cut just outside of the branch bark ridge, and angle down away from the trunk. Stay close to the trunk collar without cutting into it.



Beginning 2 years after planting, prune lightly every year or every other year (when possible). After 10 years, most trees will only require "hazard pruning."

Winter is the best time of year to prune because branches are easy to see, diseases cannot spread, and there is minimal stress to the tree. But for most trees, pruning can be done at any time.

Replacement/Removal

Trees deemed 'hazardous' by the City Arborist will be removed. Our goal is to replace every tree that is removed.

4. Tree Inventory

The City of Auburn maintains an inventory of trees, including number, condition, size, and species. This inventory is GIS based, and is maintained on the City's "AccessAuburn" application. It is accessible to staff in the field via handheld devices. APW staff members update the inventory as changes are made in the field.

5. Future Goals/Program Improvements

Partnerships: Green spaces and tree plantings should be encouraged at business and retail locations. This will include coordination with the Public Works Department to choose species and sites and to create a maintenance plan and define responsibilities.

Public Works will partner with the Lewiston Auburn Forest Board to educate and promote our Urban Forest. Initiatives may include celebration of Maine Arbor Week, education of local school children, education of the public, pursuing grant funding, recruiting community volunteers, and more.

A tree farm has been established at the Lake Auburn Community Center. Trees have been planted for future use in Auburn and Lewiston. This long-term investment will provide locally grown, healthy trees, nurture community relationships, and save money for both municipalities.

Beautification/Education: Collaboration with local non-profits, schools, and organizations can be an effective way to educate youth and adults and beautify our community. We will work to establish partnerships that support this goal.

Evaluation of Plan: This plan will be reviewed and, if deemed necessary, revised, no less than once every three years.

Street Tree Sustainability Ordinance

Chapter 56- Vegetation

Article II. -Trees and Shrubs

Division 3. - Street Tree Sustainability

Sec. 56-xx - Purpose.

The city hereby adopts the following street tree sustainability ordinance in order to provide information, planning and resources necessary to ensure the long term viability and sustainability of the street tree component of the community forest.

Sec. 56-xx – Authority.

This division is enacted pursuant to the Home Rule Authority granted to the city in accordance with the provisions of 30-A M.R.S.A. Sec 3001.

Sec. 56-xx – Definitions.

Street Trees - Trees within or upon the limits of any city road, public right of way or any public highway within the meaning of 30-A.M.R.S.A. Sec 3281.

Street Tree Inventory – Database within the City GIS system which documents physical location and description of each street tree, including species, diameter, condition, and hazard risk. The current street tree inventory was initially completed in 2018.

Removed Street Tree - Any street tree cut down and eliminated due to insect or disease damage, storm damage, hazardous condition, road work, accident or owner request.

Sec. 56-xx Maintenance of the street tree inventory

The city arborist shall keep the street tree inventory up to date by:

1. Keeping annual records concerning the removal, planting and maintenance of street trees.
2. Periodically reviewing the condition and any associated hazard of all street trees documented in the inventory.
3. Updating the street tree inventory database as needed to reflect information collected in parts 1 and 2.

Sec. 56- xx Replacement of removed street trees

1. Each fiscal year, the city arborist shall budget to purchase, plant and maintain the number of trees equal to the number of removed street trees from the previous year, at minimum. Replacement trees may be placed at the sites of removed street trees, or at other locations determined by the city arborist. City arborist planning shall be with appropriate input from the Community Forest Working Group or any successor committee.
2. The City Council shall endeavor to provide resources necessary to fund replacement of the prior years' removed street trees. In the event that this goal is not achieved, the number of unfunded replacement trees shall be carried forward and added to the total removed street trees described in part 1 for the following year.

Sec 56 -xx Street Tree Sustainability

1. Street trees are recognized as green infrastructure and an important component of neighborhoods as well as business districts. Street trees contribute to Auburn's economic and social well-being and positive public image. Sustainability of this component of the community forest depends on data collection, planning and resources to ensure that the number and condition of street trees does not decline over time.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022

Author: Brian Wood, Assistant City Manager

Subject: Public Safety Facilities Presentation Part 2

Information:

The City of Auburn temporarily relocated the Auburn Police Department to City Hall in 2011 after extensive mold and flooding deemed the police station unusable. This relocation of the Police Department in addition to a needs and safety assessment of all three Auburn Fire Department location has resulted in a comprehensive facilities review that started in 2017. This review led to a determination that current facilities were inadequate to meet the modern safety standards and functional needs of the public safety deparmtents. Since 2019 staff has worked with consultants and subject matter experts to conduct assessments, land review and preliminary designs to understand what options would best address current and future needs of the public safety departments. These finding and options will be presented to City Council.

City Budgetary Impacts: TBD

Staff Recommended Action: NA

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

IN COUNCIL REGULAR MEETING JUNE 6, 2022, VOL. 36 PAGE 263

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

Pledge of Allegiance

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

1. **Order 67-06062022***
Nominating City Manager Phillip L. Crowell, Jr. to Maine Municipal Association's 2022-2024 Legislative Policy Committee.

2. **Order 68-06062022***
Changing the date of the first regular City Council meeting in July from July 5, 2022 to July 11, 2022.

3. **Order 69-06062022***
Appointing Wardens and Ward Clerks for the June 14, 2022 Election.

4. **Order 70-06062022***
Re-appointing Jan Biron to the Age Friendly Committee with a term expiration of 6/1/2025.

5. **Order 71-06062022***
Re-appointing Belinda Gerry to the Age Friendly Committee with a term expiration of 6/1/2025.

6. **Order 72-06062022***
Re-appointing Frank Pippin to the Age Friendly Committee with a term expiration of 6/1/2025.

7. **Order 73-06062022***
Re-appointing Leroy Walker to the Age Friendly Committee with a term expiration of 6/1/2025.

8. **Order 74-06062022***
Appointing Heather Barnett to the Complete Streets Committee with a term expiration of 1/1/2025.

9. **Order 75-06062022***
Appointing Tim MacLeod to the Lewiston Auburn Transit Committee (LATC) with a term expiration of 7/1/2024.

10. **Order 76-06062022***
Appointing Michael Meigs to the Parks & Recreation Advisory Board with a term expiration of 10/01/2023.

11. **Order 77-06062022***

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

12. **Order 78-06062022***
Appointing Tom Moulin to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2024.

13. **Order 79-06062022***
Appointing Jeff Chute to the Auburn Sewer District Board of Trustees with a term expiration of 3/1/2026.

14. **Order 80-06062022***
Accepting the transfer of $4,637 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-21-2809).

15. **Order 81-06062022***
Accept the transfer of $1,321 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-150).

16. **Order 82-06062022***
Accept the transfer of $1,075 forfeiture assets in Rem in U.S. Currency to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-342).

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

Passage 7-0.

II. **Minutes** - May 16, 2022 Regular Council Meeting

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

Passage 7-0.

III. **Communications, Presentations and Recognitions**

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

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

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

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

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

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

IV. Open Session

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

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

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

V. Unfinished Business - None

VI. New Business

1. Ordinance 16-06062022

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

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

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

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

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

Passage 6-1 (Councilor Staples opposed).

2. **Order 83-06062022**
Allocating $300,000.00 of ARPA Funding to create a two-year pilot program called "Project Support You – Auburn".

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

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

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

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

3. **Order 84-06062022**
Reallocating unspent bond proceeds in the amount of $32,376 to fund purchase of Flight Simulator.

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

Public comment – No one from the public spoke.

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

Passage 7-0.

4. **Order 85-06062022**
Adopting Juneteenth (June 19th) as an official city holiday.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. **Order 86-06062022**
Changing the date of the second regular Council meeting for the month of June from June 20, 2022 to June 27, 2022.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Walker opposed).

6. **Order 87-06062022**
Allocating $300,000.00 of ARPA Funding to create small area master plans in targeted growth areas within the city.

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

Public comment – No one from the public spoke.

Passage 7-0.

7. **Order 88-06062022**
Approving the sale of City owned property.

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

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

VII. Reports (from sub-committees to Council)

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

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 **Order:** 89-06272022

Author: Sue Clements-Dallaire, City Clerk

Subject: Amending Order 68-060620022 previously adopted on 6/6/2022

Information: On June 6, 2022 Council adopted order 68-06062022 authorizing changing the date of the first regular meeting of the City Council from Tuesday, July 5, 2022, to Monday, July 11, 2022.

Staff is proposing an amendment to that Order by cancelling the first regular meeting of July (July 5, 2022) and holding a Special Council meeting on Monday, July 11, 2022 instead.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage.

Previous Meetings and History: 6/6/2022 Council meeting, Order 68-06062022 was passed.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: None

ORDER 89-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby amends Order 68-06062022, previously adopted by the Auburn City Council on 6/6/2022 as follows:

ORDER 68-06062022

ORDERED, that the City Council hereby authorizes ~~changing the date of~~ the cancelation of the ~~first regular meeting of the~~ City Council scheduled for ~~July from Tuesday,~~ July 5, 2022, ~~to~~ and scheduling a Special City Council meeting to be held on Monday, July 11, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 **Order:** 90-06272022

Author: Alison F. Pepin, Deputy City Clerk

Subject: Application for Special Event/Mass Gathering – Liberty Festival

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Information: The Liberty Festival/Independence Day Committee applied for a Special Event/Mass Gathering Permit. The Festival is scheduled to take place July 4th with a rain date of July 5th at Great Falls, Festival Plaza and surrounding areas.

This is a 4th of July celebration which will include fireworks, vendors and a variety of entertainment venues in Lewiston and Auburn.

City Budgetary Impacts: $10,000 funded in budget

Staff Recommended Action: Public hearing and recommend approval

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Previous Meetings and History: This is a yearly event. The request was presented to council at the June 06, 2022 City Council meeting.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Special Event/Mass Gathering application
- Copy of public hearing notice
- Order

Date received: 4/19/22
Date approved: 4/25/22

CITY OF AUBURN
SPECIAL EVENT/MASS GATHERING APPLICATION

Required for any special event on city property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

****

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: 4/16/22

SPONSOR INFORMATION

Name of Sponsoring Organization: Liberty festival

Name of Contact Person for Event: Cathy McDonald

Title of Contact Person: President

Mailing Address: PO Box 97, Lewiston, Me 04240

Daytime Telephone: _____ Cell Phone: 207-212-8227

Email Address: liberty.festival@aol.com

Contact Name and Cell Phone Number DURING the Event: Cathy McDonald / 207-212-8227

Is your organization incorporated as a non-profit organization? Yes ☒ No ☐

Non-Profit Number: 04-3358113

EVENT INFORMATION

Name of Event: Liberty festival

Type of Event (walk, festival, concert, etc.): fireworks

Date of Event: 7/4/22 Rain Date: 7/5/22

Times of Event: Start Time including set-up: 1pm Ending time including clean up: 11pm

Actual Event Start Time: 4pm Actual Event End Time: 10:30pm

Estimated Attendance: 3000

Location of Event: Great Falls Plaza and surrounding area

Have you held an event at this location within the last 12 months? Yes ☒ No ☐

If the location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved?

Yes ☐ No ☒ Pending ☐ Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Not permitted	**CROSS-STREET BANNERS** Please note that the city no longer allows cross-street banners.		X	
Separate fee and permit possible	**FOOD** – Will food or beverages be sold? If yes, list what types of food or beverages: Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	☐	☒	☐
Separate fee and permit possible	**NON-FOOD ITEMS** – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: Note - A peddler permit may be required and must be submitted 14 days prior to the event.	☐	☒	☐
N/A	**LIVE MUSIC** – Will there be any outdoor musical performances? If yes, please describe:	☐	☒	☐
N/A	**SOUND AMPLIFICATION** – Will there be a microphone or speaker system to project sound?	☒	☐	☐
Separate fee and permit possible	**ALCOHOL** – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	☐	☒	☐
Separate fee and Permit required	**CARNIVAL** – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.	☐	☒	☐
Separate fee and Permit required	**FIREWORKS** – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	☒	☐	☐
N/A	**PARADE** – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.	☐	☒	☐
N/A	**RUN/WALK/CYCLE** – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route:	☐	☒	☐
Separate permit required	**BURN PERMIT** – Will there be any open flame such as a bonfire? If yes, describe activity: Note - A permit from the Fire Department is required.	☐	☒	☐

N/A	**TENT/CANOPY** – Will you be setting up a tent or canopy? If yes, list number and sizes: 2 – 10x10 pop ups	☒	☐	☐
Separate fee and permit required	**ELECTRICAL POWER/EQUIPMENT** – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? food vendors, lighting, DJ	☒	☐	☐
N/A	**ROAD/INTERSECTION CLOSURE** – Will any roads need to be closed to accommodate your event? If yes, please list: Court, Main, Plaza entrances	☒	☐	☐
N/A	**MAP/DIAGRAM** – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.	☐	☐	☐
N/A	**PARKING ACCOMODATIONS** – What will be the anticipated need for parking and what is your parking plan? Platz lot + parking garage	☒	☐	☐
N/A	**TOILETS** – Please list amount at event and/or nearest location: 5+/ADA by TD Bank	☒	☐	☐
N/A	**WASTE DISPOSAL** – Please list process and location: trash cans provided; placed by the Public Works dept.	☒	☐	☐
N/A	**HAND WASHING FACILITIES** – Please list amount at event and/or nearest location: at potta parties	☐	☐	☐
N/A	**POTABLE WATER** – Please list amount at event and location:	☐	☒	☐
N/A	**FIRST AID FACILITIES** – Please list location at event: United Ambulance or Auburn Fire Dept	☒	☐	☐
$	**TOTAL FEE INCLUDED** – Checks payable to "City of Auburn"			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc., the city requires general liability insurance coverage. The **City of Auburn** is to be named as "additionally insured" for the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the City of Auburn listed on the Certificate of Insurance (minimum coverage $1,000,000 Bodily Injury or Death, per occurrence, and $300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the city. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

Signature of Applicant: Cathy McDonald Printed Name: Cathy McDonald Date Submitted: 4/16/22

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning	✓		4/22	KB
* Fire Department	✓		4/25	MF
Police Department			4/25	AA
Public Works Department	✓		4/22	DD
Recreation Department			4/25	JG

COMMENTS/CONDITIONS from any of the above departments:

Permit & guidance from Fire Prevention

City Council Public Hearing date, if applicable: _____

License Approved/Denied: 4/25/22 Date applicant notified: ✓

GADOWNI-01 LROY

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 6/20/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
United Insurance - Auburn 31 Court Street 2nd Floor Auburn, ME 04210	PHONE (A/C, No, Ext): (207) 784-5181	FAX (A/C, No): (207) 784-4847
	E-MAIL ADDRESS:	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Patriot Insurance Company	32069
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

G A Downing Company, Inc.
111 Woodman Hill Road
Minot, ME 04258

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:			6641872	10/1/2021	10/1/2022	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 500,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			6641871	10/1/2021	10/1/2022	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000			6641872	10/1/2021	10/1/2022	EACH OCCURRENCE AGGREGATE	$ 2,000,000 $ 2,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Auburn, Maine
60 Court Street
Auburn, ME 04210

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 6/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Britton-Gallagher and Associates, Inc.
One Cleveland Center, Floor 30
1375 East 9th Street
Cleveland OH 44114

CONTACT NAME:
PHONE (A/C, No, Ext): 216-658-7100 **FAX (A/C, No):** 216-658-7101
E-MAIL ADDRESS: info@brittongallagher.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Everest Indemnity Insurance Co.	10851
INSURER B : Everest Denali Insurance Company	16044
INSURER C : Axis Surplus Ins Company	26620
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Martin & Ware Inc. Dba Central Maine Pyrotechnics
165 Maple Street
Farmingdale ME 04344

COVERAGES **CERTIFICATE NUMBER:** 953874966 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			SI8ML02488-221	3/6/2022	3/6/2023	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	POLICY X PRO-JECT LOC							$
B	AUTOMOBILE LIABILITY			SI8CA00284-221	3/6/2022	3/6/2023	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
C	UMBRELLA LIAB X OCCUR			P-001-000815497-01	3/6/2022	3/6/2023	EACH OCCURRENCE	$ 4,000,000
	X EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$ 4,000,000
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
Display Date: 7/4/2022 Rain Date: 7/5/2022 Location: west pitch park along the Androscoggin River below the train trestle, 20 Great Falls Plaza, Auburn, Maine 04210

RE: General Liability, the following are named as additional insured in respects to the negligence of the named insured: State Fire Marshal; City of Auburn; Lewiston-Auburn Liberty Festival Committee; Brookfield Renewable Energy; City of Lewiston, ME

CERTIFICATE HOLDER

ME - State Fire Marshal's Office
52 State House Station
Augusta ME 04330

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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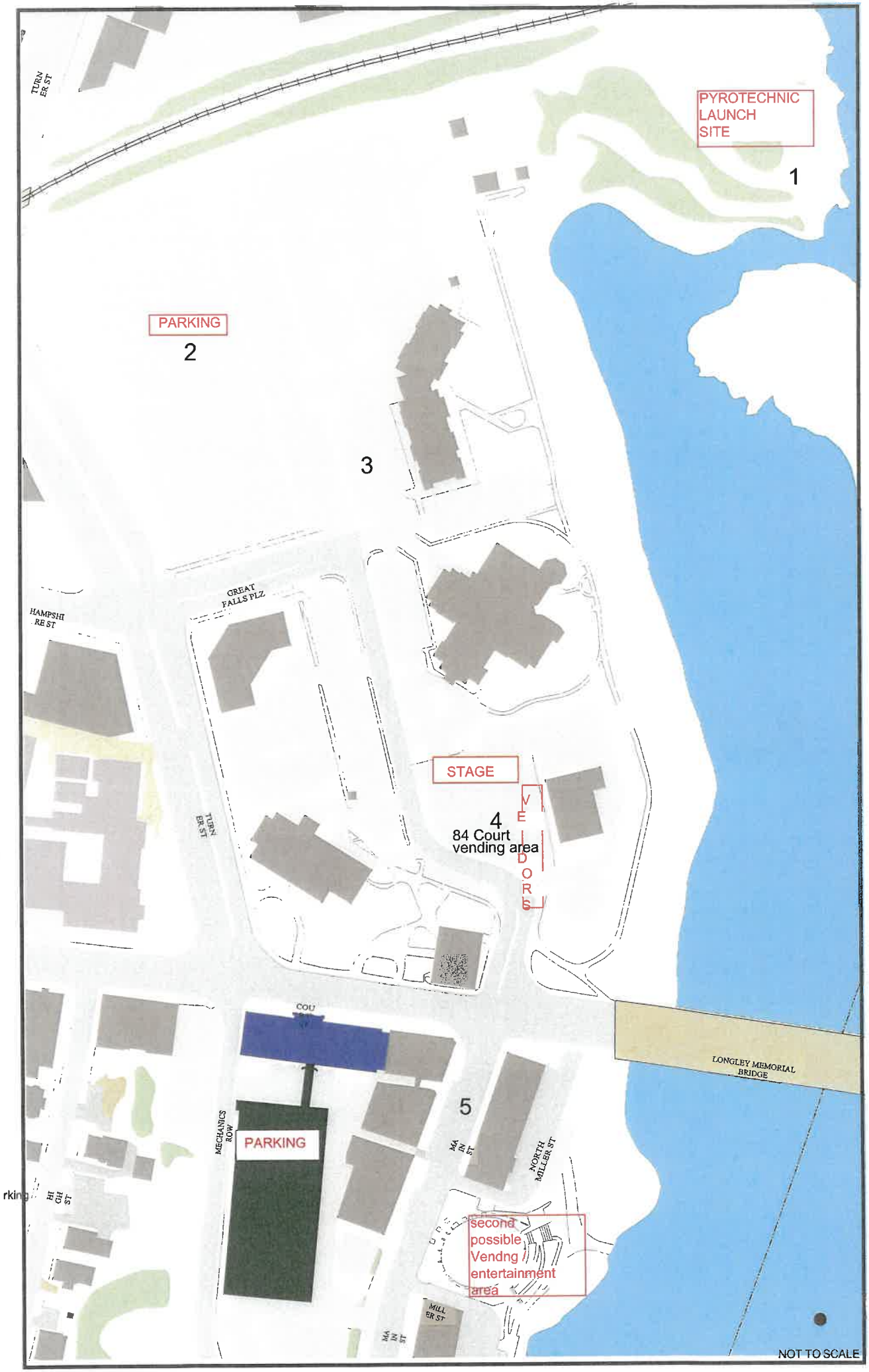
PYROTECHNIC LAUNCH SITE
1
PARKING
2
3
GREAT FALLS PLZ
HAMPSHIRE ST
STAGE
4
84 Court vending area
VENDORS
TURNER ST
COU
LONGLEY MEMORIAL BRIDGE
5
MECHANICS ROW
PARKING
MAIN ST
NORTH MILLER ST
second possible Vendng / entertainment area
MILLER ST
NOT TO SCALE

ORDER 90-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering permit for the Liberty Festival to be held July 4, 2022 (rain date July 5, 2022) at Great Falls, Festival Plaza, and surrounding areas.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 **Order:** 91-06272022

Author: Alison F. Pepin

Subject: Waiver of Business License Fee – Fundraiser for Odyssey of the Mind

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Information: An application for a waiver of a business license fee of $60 was submitted by Beth Spencer Woodhead, Parent Booster for Odyssey of the Mind Auburn. She will be selling whoopie pies from Labadies Bakery in Festival Plaza on Wednesdays during the Auburn Community Band night's to raise money for Auburn Middle School's Odyssey of the Mind.

City Budgetary Impacts: $60

Staff Recommended Action: Consider waiving the fee

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Application
- Request to waive fees
- Order

CITY OF AUBURN

BUSINESS LICENSE APPLICATION

Business Name:

☑ NEW ☐ RENEWAL Expires: _____

Office of the City Clerk
60 Court St, Auburn, ME 04210
207.333.6600
www.auburnmaine.gov
Melinda Novella - License Specialist mnovella@auburnmaine.gov
Beckie Drew – License Specialist bdrew@auburnmaine.gov

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

Please check the boxes for all licenses you are applying for:

There is a late fee of $25.00 for renewals that are 30-45 days late, $50.00 for more than 46 days late, and $100.00 for reoccurring

Food Service Establishments:

☐ ***FSE Mobile Food distribution Unit**.....
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.

☐ 3 Month	$100
☐ 6 Month	$125
☐ 12 Month	$150

☐ ***FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I)**.....

Sq ft:	Fee:
☐ 1-2999	$500
☐ 3000-5999	$600
☐ 6000+	$700

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***FSE Serving Malt and/or Vinous**.....

Sq ft:	Fee:
☐ 1-2999	$300
☐ 3000-5999	$400
☐ 6000+	$500

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***FSE with Sit Down (On/Off), no Alcohol**.....

Sq ft:	Fee:
☐ 1-2999	$150
☐ 3000-5999	$200
☐ 6000+	$250

☐ ***Bottle Club/BYOB**.....

Sq ft:	Fee:
☐ 1-2999	$150
☐ 3000-5999	$200
☐ 6000+	$250

Public hearing required for new license- $100 fee
Background check must also be included.

☑ ***Temp FSE** (Per event max 7days) $60

*All above licenses: include copy of floor plan, menu/draft menu, certified food handler certificate and a copy of all State licenses applicable.

☐ **FSE Off Premise/Retailer-Malt Liquor/Table Wine**.....

Sq ft:	Fee:
☐ 1-2999	$150
☐ 3000-5999	$200
☐ 6000+	$250

☐ **FSE Prepackaged Only**

Sq ft:	Fee:
☐ 1-2999	$150
☐ 3000-5999	$200
☐ 6000+	$250

Other Business Licenses Applying for:

☐ ***Special Amusement** $125
Public hearing required for new license- $100 fee
Please fill out supplemental questionnaire (pg 4).

☐ ***Pawnshop/Pawn Broker** $100

☐ ***Secondhand Dealer**..... $85

☐ ***Massage Establishment/Therapist**..... $150
State license #: _____

Massage: Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

☐ ***Tattoo Artist**..... $150

*Above licenses: *Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application.* You can do it yourself on-line here: http://www5.informe.org/online/pcr/

☐ **Bowling Alley (fee per lane)**..... $85
# of lanes:_____

☐ **Roller Skating Rink**.....
☐ Partial Kitchen: $60
☐ Full kitchen: $120

☐ **Coin-Op Devices (fee per device)**.....
$50 per device up to 10 devices/$30 per device 10 or more
# of devices:_____
(Please provide list of devices)

☐ **Motion Picture Theater (fee per screen)**..... $50
# of screens:_____

☐ **Juke Box (each)**.....$30
# of boxes: _____

☐ **Lodging House**.....# of rooms:_____
10 rms or less: $75
More than 10: $150

☐ **Pool Hall (fee per table)**..... $50
# of tables :_____

Seating:_____**Occupancy load:**_____

LICENSING FEE(S) TOTAL DUE: $ 60

NAME OF BUSINESS: Self Fundraiser Odyssey of the mind BUSINESS ADDRESS: 1882 Hotel rd Auburn

BUSINESS MAILING ADDRESS: _____

OWNER'S NAME (LOCAL/ONSITE): Beth Woodhead DOB: 5/27/1968 PHONE: 207 7405591

OWNER'S ADDRESS: Same MAILING ADDRESS: Auburn Middle d Edward Little

PREFERRED EMAIL: teachergirl207@yahoo.com

MANAGER'S NAME: _____ PHONE #: _____ DOB: _____

PREFERRED CONTACT NAME: _____ PHONE #: _____

EMAIL ADDRESS: _____

DESCRIPTION OF BUSINESS: Fundraiser Selling Whoopie Pies from laberdees bakery on Wednesday nights during Aub Community band festival plaza Aub Concerts

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): _____

FORM OF BUSINESS ORGANIZATION: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ LLC ☑ Other Self fundraiser

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	*Print Clearly* Address Previous 5 years	Birth Date	% of Stock	Title
Beth Woodhead	Same as above			

OWNER OF BUILDING/UNIT: _____ PHONE # _____

OWNER'S ADDRESS: _____

HOURS OF OPERATION: Mon: _____ Tues: _____ Wed: ✓ 6pm-8:30pm Thurs: _____

Fri: _____ Sat: _____ Sun: _____

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? ☐ Yes ☑ No (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.*

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

****READ CAREFULLY BEFORE SIGNING****

I, Beth Woodhead, Owner/Operator of the business, hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

(Print name)

Applicant Signature: B Woodhead **Date:** 6/6/2022

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

__Approved	_	Denied	FIRE INSPECTOR _____
__Approved	_	Denied	CODE ENFORCEMENT OFFICER __
__Approved	_	Denied	POLICE _____
__Approved	_	Denied	FINANCE _____

Comments:

_____

_____

Application date:_____ License issued on:_____

Fees paid: License fee(s)_____Public hearing fee_____Background fee_____Late fee_____

Total amount paid = $_____

1882 Hotel rd
Auburn ME

June 8, 2022

Dear City Councilors of Auburn

My Name is Beth Spencer Woodhead. I am a resident of Auburn and a parent booster for Odyssey of the Mind Auburn teams.

Each Spring Auburn Middle School and Edward Little OM teams raise money For traveling to regional, State and National Competitions. In the last six years I have been a parent of a team member. I have helped fundraise.

I would like this Council to Vote yes to wave the sixty dollar fee associated with a temporary Food License. I plan to sell Labadies Bakery Whoopie Pies at festival Plaza on Six Wednesday Evenings during the Auburn Community Band Concerts this Summer.

all profits from these sales will be turned in to the Auburn School Department business office. As each school activity Can have an Account with the School Dept. business office. I would be turning in the fundraiser profits.

Please Consider Voting yes to waive the $60.00 fee for application of the temporary Food Service application Fee. I have turned in all application form papers to the City Clerk on June 8 2022.

Thank you for your time and Consideration
Beth S. Woodhead

ORDER 91-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Clerk to waive the $60 business license fee (Temporary Food Service License) as requested by Auburn resident, Beth Woodhead who will be selling whoopie pies to raise funds for Auburn School Department's Odyssey of the Mind.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 **Order:** 92-06272022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Mutual Cooperation Agreement between the Cities of Auburn and Lewiston

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Information: Every three years the Cities of Auburn and Lewiston enter into a Mutual Cooperation Agreement for the management of the HOME Investment Partnerships Program funds as provided by the U.S. Department of Housing & Urban Development (HUD). This agreement establishes the Auburn-Lewiston HOME consortium and appoints the city of Auburn as the Representative Entity responsible for the overall oversight and management of these funds.

HOME Investment Partnerships Program formula funding awards require a qualifying population size and composition, which neither city can achieve individually. These funds account for an average annual award of $500,000 per year to be split between the two cities. The HOME program has also provided for an additional HOME-ARP one time allocation of $1.7 million to be spent over the next 3 years.

The proposed Mutual Cooperation Agreement has been updated under the recommendation of HUD Community Planning Department staff and delineates the responsibilities of the representative member (lead) as well as that of the other member.

City Budgetary Impacts: Program dollars help to support the salary/benefits and program funds for Business and Community Development staff. Auburn's share of the allocation for the up coming year is approximately $298,500. Auburn's share of the HOME-ARP allocation is aprox $900,000 over the next 3 years.

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: These consortium agreements have been in effect since 2002 and approved by City Council every three years.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Auburn-Lewiston Consortium Agreement

AL (AUBURN-LEWISTON) CONSORTIUM

MUTUAL COOPERATION AGREEMENT
TO FORM A CONSORTIUM UNDER THE
HOME INVESTMENT PARTNERSHIPS PROGRAM

MUTUAL COOPERATION AGREEMENT made this 27th day of June, 2022, by and between the City of Auburn and the City of Lewiston (units of general local government) organized and existing under the laws of the State of Maine.

WHEREAS, the Congress of the United States of America has enacted the Cranston-Gonzalez National Affordable Housing Act, HOME Investment Partnerships Program; and

WHEREAS, the U.S. Department of Housing and Urban Development (hereinafter, "HUD") has promulgated regulations, notices, and requirements as now or hereafter in effect, allowing units of general local government to enter into mutual cooperation agreements to form a consortium or continue an existing consortium for the purpose of obtaining funding as a participating jurisdiction under the HOME Investment Partnerships Program (hereinafter, "HOME Program"), and

WHEREAS, the signatory units of general local government intend hereby to establish a consortium to cooperate in undertaking or assisting in pursuing housing assistance activities through the HOME Investment Partnerships Program, as it may be amended, and

WHEREAS, the signatories to this agreement agree to comply with all requirements of HUD regulations and requirements as now or hereafter in effect for eligibility to participate to the maximum extent possible in the HOME Program to create or improve affordable housing for their low and moderate income residents.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties to this agreement do agree as follows:

SECTION 1 - DEFINITIONS

a. "Member" means a unit of local government that is a signatory to this Agreement and therefore a member of the Consortium for the purpose of carrying out eligible activities under HUD regulations and requirements as now or hereafter in effect.

b. "Representative Member" means a unit of local government designated hereafter as the one member to act in a representative capacity for all members for the purposes of this Agreement, as defined in HUD regulations and requirements as now or hereafter in effect.

c. "Subrecipient" is a public agency or non-profit selected by the member to administer all or a portion of the member's HOME Program.

d. "Consolidated Strategy and Plan" means a Consolidated Plan, as defined in HOME Program

Regulation 92.2 and required by HUD regulations and requirements as now or hereafter in effect.

e. "CHDO" means a Community Housing Development Organization, as defined in HUD regulations and requirements as now or hereafter in effect.

f. "HUD Regulations and Requirements" means those HUD regulations and requirements which are applicable to the HOME Investment Partnerships Program.

g. "Commitment" means the member has executed a legally binding agreement with a recipient or a subrecipient to use a specific amount of HOME funds to produce affordable housing or provide tenant-based rental assistance; or has executed a written agreement reserving a specific amount of funds to a community housing development organization; or has met the requirements in the regulations to commit to a specific local project, including project underwriting according to Notice CPD-15-11 or other HOME Investment Partnerships guidance with respect to project/program review.

h. "Program Income" means gross income received by the member or subrecipient directly generated from the use of HOME funds or matching contributions. When program income is generated by housing that is only partially assisted with HOME funds or matching funds, the income shall be prorated to reflect the percentage of HOME funds used.

SECTION 2 - DESIGNATION OF REPRESENTATIVE MEMBER; POWERS AND DUTIES OF REPRESENTATIVE MEMBER

a. The City of Auburn, acting through its Community Development Director for the Community Development Department, hereinafter Consortium Administrator, will be designated as and agrees to assume overall responsibility as the Representative Member for this consortium for the purposes of the HOME Program, in compliance with HUD HOME Program statutes, regulations, and instructions, now or hereafter in effect, for the duration of this Agreement.

b. The Representative Member shall have access to all Member records related to the use of HOME program funds for the purpose of ensuring compliance with HUD regulations.

c. The Representative Member shall establish and maintain the local HOME Investment Trust Fund required by HUD regulations and requirements as now or hereafter in effect.

d. The Representative Member shall establish, with the prior consent of the Member units, such administrative procedures as may be necessary to facilitate the application for and distribution of HOME program funds.

e. Representative Member may provide technical assistance to the Members upon request. Said assistance shall not relieve each Member from compliance with all relevant HOME regulations, nor unduly burden the Representative Member.

f. The Representative Member may withdraw funds from the HOME Investment Trust Fund for a particular Member or Member's project only upon receipt of a written requisition signed by the Member requesting the disbursement.

g. The Representative Member may amend this Mutual Cooperation Agreement on behalf of the consortium to add new members to the consortium. When members are added, the funding formula shall be revised and agreed upon by all Members including the new Member.

SECTION 3 - DUTIES OF MEMBER UNITS OF LOCAL GOVERNMENT

a. Each Member agrees to cooperate in undertaking or assisting in the pursuit of housing assistance activities for the HOME Investment Partnerships Program.

b. The Consortium collectively acting through its Representative Member and each of its Members, acting through its Community Development Director (or other individual designated by each Member's chief executive officer), agrees to carry out eligible activities in accordance with the requirements of HUD regulations and requirements as now or hereafter in effect.

c. Each Member shall be responsible for obtaining the necessary local approvals for acceptance and allocation of HOME program funds.

d. Each Member shall be responsible for submitting to the Representative Member all information necessary for participation in the consortium as defined in HUD regulations, requirements, and schedules as now or hereafter in effect. This includes, but is not limited to, information necessary for the Consolidated Plan, Annual Plan, description of the use of HOME funds, the HOME Program Description including tasks to be performed, a schedule for completing the tasks, budget, and certifications, HOME Agreements executed with subrecipients, and performance reports.

e. Each Member shall be responsible for obtaining matching funds or matching fund credits for all its projects as required by HUD regulations and requirements as now or hereafter in effect. All Match funds shall be entered into the project funding portion of IDIS to be documented, tracked and carried forward into subsequent fiscal years.

f. Project Management.

(i) Representative Member shall be responsible for project management and shall perform all procedures and tasks necessary to implement and monitor each specific project and shall fully comply with uniform administrative requirements as stated in HOME Program regulation 92.505.

(ii) Each Member shall be responsible to develop, design and describe how each proposed project and site satisfy all applicable HOME Program regulations and the requirements of this Agreement and shall record these determinations in each project/site file together with an official approval memorandum signed by Member's responsible HOME Program staff. For multiple site programs the Member shall provide the proposed

program guidelines and any amendments to the same to the Representative Member for review.

(iii) Members shall assure that its share of the -24-month commitment requirement under the HOME Investment Partnerships Program regulations is met. Once projects are committed, each Member shall submit a commitment letter with the Consortium.

g. Each Member shall be responsible for developing qualified projects to spend their portion of the allocation on within 5 years of the award date.

h. Each Member shall be responsible for completing and closing out approved projects within 4 years from the commencement date.

SECTION 4 - FUNDING

a. The Representative Member shall be entitled to an amount of 5% of HOME Program funds for administration of the Consortium which shall be deducted from the annual allocation. Each Member will then share the remaining 5% (2.5% for Auburn & 2.5% for Lewiston) for administration funds permitted under the cap allowance pro-rata in relation to the percentage of HOME Program funds received by each member annually.

b. After the set aside for administration, each Member will share equally HOME Program funds allocated to the Consortium each year. A Member may voluntarily relinquish a portion or all of its HOME allocation, in writing, to another Member of the Consortium.

c. HOME funds will be deposited into and disbursed from the Consortium HOME Investment Trust account established by the Representative Member consistent with HOME Program regulation 92.500 the HOME Investment Trust Fund and 92.502 Program disbursement and information system. All loan repayments, interest, or other returns on investments shall be deposited into this account on a quarterly basis.

d. Reservation of HOME Funds.

(i) Unless otherwise suspended or eliminated by HUD, each Member shall be responsible for establishing its own projects and meeting its 50% share of the mandatory 24-month commitment of funds according to 92.500(d)(1) of the HOME rule and CPD-15-09. In January of each year, Representative Member shall communicate in writing with Member the status of the required commitment, and each shall identify in writing how commitment shares will be met. In May of same year, if either Member or Representative Member has not met the required level of commitment, then Member or Representative Member shall offer the uncommitted amount to the other, who may or may not accept responsibility for

committing these funds. There will be no obligation to accept or repay a transfer of funds. If transfer is not accepted by Member or Representative Member and funds are lost, then the loss shall remain with the original Member or Representative Member.

(ii) Project Set-Up in IDIS. Each Member shall request that the Representative Member "set up" in the federal Integrated Disbursement and Information System (IDIS) or any successor system, i.e. establish an activity and reserve funds for each particular site or eligible activity, after meeting all the requirements of the Mutual Cooperation Agreement.

(iii) Member shall forward a Set-Up Request in writing to the Representative Member, enclosing all required documentation together with the Auburn-Lewiston Consortium Project Compliance Checklist (AL Checklist), completed through the project initiation stage. The Representative Member will not establish an activity in the IDIS System if one or more of the following conditions occur: HUD Set-Up Report is incomplete; the data on the HUD Set-Up Report or other site data are inconsistent with HOME Program requirements, there is no evidence of local project approval have not been met; or there is incomplete project documentation.

(iv) The Representative Member agrees to provide the Member with Underwriting and environmental review requirements for the Members proposed projects or activities to be funded with HOME Program funds in the amounts as stated in the executed HOME - Agreements, as they may be amended from time to time, for the purposes described in said Agreements, provided that the Member has complied with all requirements of the HOME Program and this Agreement.

e. HOME Agreements.

(i) Prior to disbursing HOME Program funds each Member shall enter into a HOME agreement with the recipient including all provisions described in HOME Program regulation 92.504, or its successor. These agreements will be developed by the Representative Member based on project description and documentation provided by the Members.

(ii) The Representative Member shall include in each such HOME agreement additional provisions as may be required by HUD and such reasonable requirements as may be requested by the Member consistent with HOME Program regulations and this Agreement.

f. Review of Project Funding Instruments. Members shall transmit any proposed funding instruments and agreements to the Representative Member for underwriting consistent with the applicable Consortium guidelines, as they may be amended from time to time. Once guidelines and

funding instruments have been approved by the Representative Member, the Member may execute such funding instruments without further review by the Representative Member. Each Member must keep originals or certified copies of all case-specific funding instruments and related documents in project files.

g. Expenditures. The Member shall meet the principles and standards of cost allowability stated in 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."

h. Processing and Release of Project Funds.

(i) Pre-Release Requirements.

(A) Funding Instruments. HOME - Agreement and funding agreements with recipients must be executed prior to set-up and/or drawdown. Closing documents with recipients must be executed or a specific closing scheduled prior to drawdown. No funds will be authorized or released for work done prior to the effective date of this Agreement and the applicable Consortium-Member HOME - Agreement.

(B) Environmental clearance. A Release of Funds, if applicable, must have been received from HUD for this project or activity.

(C) Set-up Request. The site shall be set-up in the HUD IDIS system as provided in Section 4 - Funding, herein.

(ii) Disbursement Procedure. The Representative Member shall draw down and release HOME funds on a reimbursement or "pay as you go" basis to the Member or on behalf of the Member to such designated subrecipient, vendor or other recipient as mutually approved by the Representative Member and Member consistent with the following procedure:

(A) Invoice. An invoice requesting payment shall be submitted to the Representative Member on a quarterly basis by the entity to be paid or reimbursed. Invoices must appear on the letterhead of the entity or another standard invoice form approved by the Representative Member, be signed by an individual authorized by the entity, and be submitted by the 15th day of the month immediately following each quarter-Requests for payment shall be limited to the amount currently needed for the payment of eligible costs consistent with HOME Program regulation 92.504(c)(2)(vi), corresponding to expenses already having been paid by Members. Requests for payment shall include:

1) An invoice detailing the amount being requested for reimbursement against the established budget signed by the program manager;
2) Documentation of draws paid to vendors or developers and any related inspection reports;
3) All pertinent back-up documentation for the charges including payroll records, time sheets, financial expense reports, and copies of source documentation; and
4) A spreadsheet that ties the invoice to the expense report including a summary the

salary expenses by project.

(B) Approval by Member. Each invoice submitted shall have been reviewed and approved by the Member for accuracy, quantity and quality of work, materials or services provided, consistency with contractual terms, and compliance with all applicable HUD and HOME Program regulations. As required by HOME Program regulation 92.504(c)(2)(vi) the Member shall limit the requested disbursement of project funds to the amount presently needed for payment of eligible costs.

(D) Processing Requisition and Checks. The Representative Member will process all approved requisitions for payment in a manner consistent with the Representative Member's accounts payable procedures. Incomplete or non-conforming requisitions will be returned to the Member. Checks will be mailed to the designated payee unless alternative arrangements have been made with the Representative Member.

(E) General. The Representative Member reserves the right to modify procedures herein as needed to comply with HUD and Representative Member's requirements. In such case, advance notification will be provided to the Members. Considerations unique to specific projects including but not limited to construction retainage, contingencies, retainage for compliance, and other aspects will be addressed on a case by case basis in a manner mutually acceptable to the Representative Member and Member and shall be described by the Member in a specific Project Description and attached to a HOME Project Funding Agreement.

i. Reversion of Assets. Upon expiration of this Agreement, each Member shall transfer to the Consortium HOME Investment Trust any HOME funds on hand at the time of expiration and accounts receivable attributable to the use of HOME funds per HOME Program regulations 92.503 and 92.504(c) and HUD Notice CPD 97-09. In the event the Consortium is dissolved, HOME funds and receivables shall remain in the custody of the Member, unless otherwise provided by HUD.

SECTION 5 - SETASIDE FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS

Unless suspended or eliminated by HUD, each Member is responsible for reserving not less than 15 percent of its HOME funds for investment only in housing to be developed, sponsored, or owned by community housing development organizations (CHDOs), in accordance with the Consortium's Program Administration Guidelines and HOME Program regulations 92.300 - 92.303, as they may be amended from time to time. If one Member is able to fulfill the entire amount of this requirement, the other Member will not be required to also have a CHDO project. Members will coordinate this by January of each year prior to submission of the Annual Action Plan.

SECTION 6 - TERM OF AGREEMENT AND RENEWAL

a. This Agreement shall commence on July 1, 2022 and remain in effect during the period necessary to complete all activities funded by Federal Fiscal Year (FFY) 2023, -2024, and -2025 HOME Program grants or until the Consortium's status as a participating jurisdiction in the HOME Program is revoked by HUD, whichever occurs first. Members of the Consortium agree to a program year of July 1 to June 30 for the purposes of HOME.

b. Nothing in this Agreement obligates a Member to become a signatory to a future agreement to continue the Consortium for HOME Program grants subsequent to FY-2025. Each Member shall notify the Representative Member at least 60 days before the effective date of such future agreement if it intends not to become a signatory. Notwithstanding the foregoing, if the following FFY grant information is not available 60 days before the effective date, a Member shall use best efforts to notify the Representative Member as soon as possible after it receives the grant information.

SECTION 7 - REPAYMENT OF FUNDS AND PENALTIES

a. Repayment of HOME Funds to HUD. In the event that HUD requires the Representative Member to repay HOME funds disbursed to the Consortium for failure to meet affordability requirements as set forth in applicable HUD regulations, or for any other reason, each Member shall reimburse the Representative Member for the amount of funds required to be repaid on account of that Member's use of HOME funds. Consistent with the foregoing, the Representative Member, when acting as a Member shall remain solely liable to HUD for repayment of HOME funds originally awarded to the Representative Member, if required on account of the Representative Member's use of such HOME funds as a Member.

b. Cancellation. Each Member agrees to repay the Consortium HOME Investment Trust all HOME funds released to the Member attributable to a project in the event such project is cancelled for any reason. Such repayment shall be made within the time period specified by HUD or other reasonable time period agreed to by the Representative Member.

c. Violations. Each Member who continues to violate any HOME Program regulation, provision of this Agreement, or provision of a HOME - Agreement, after having an opportunity to cure, shall repay to the Consortium HOME Investment Trust Account any HOME funds disbursed directly to recipients or subrecipients, with respect to the site or sites where the violation has occurred, or such amount as HUD determines.

d. Penalties.

(i) Member. Each Member shall reimburse the Representative Member the full amount of any penalties assessed against the Representative Member by HUD as a result of that Member's use of HOME funds pursuant to this Agreement.

(ii) Representative Member. The Representative Member shall reimburse the Consortium the full amount of any penalties assessed against the Consortium by HUD as a result of the

Representative Member's failure to comply with HUD regulations.

e. Restriction on Future Funds. The Representative Member may withhold and restrict a Member's access to HOME funds if the Member fails to cure a violation, fails to repay HOME funds or fails to pay the penalties provided for above. Funds withheld in the amounts necessary to repay HOME funds or penalties should be charged against the Member's HOME funds in the following order:

(i) First against the funds for the project or projects in which the violation occurred or which are the subject of dispute between the Representative Member and Member;

(ii) Second against any other HOME funds allocated to the Member in the same fiscal year;

(iii) Finally, against HOME funds allocated to such Member in future fiscal years.

If HUD subsequently determines that no violation has occurred, the Representative Member shall make the withheld funds available to the Member for HOME projects. Otherwise such funds are retained for the benefit of the Consortium or in the case of penalties to reimburse the Representative Member or Consortium as the case may be.

SECTION 8 - OPPORTUNITY TO CURE OR DISPUTE VIOLATIONS, LEGAL RECOURSE AND INDEMNIFICATION

a. Opportunity to Cure. The Representative Member shall provide a written notice to a Member of the violation of any provisions of this Agreement-, or applicable HUD regulations. The notice shall set forth a description of the violation, the steps which must be taken to cure the violation and a reasonable time period established by mutual consent of the parties within which to effect the cure. However, if the parties are unable to agree to a deadline for full compliance, the Representative Member shall establish said deadline. The Representative Member may extend the time for cure if the Member proves its failure to cure was for circumstances beyond its control.

b. Disputing a Violation. If the Member and Representative Member disagree as to whether a violation has occurred, either may request HUD' determination of whether a violation exists. The Member disputing the Representative Member's finding of a violation may expend the subject funds, subject to repayment, unless the Representative Member chooses to withhold the funds.

c. Legal Recourse. In the event that any Member, including the Representative Member acting in its representative capacity, fails to comply with this Agreement, -, or a HOME Program or other HUD regulation or finding or fails to cooperate with any other Member, the Representative Member or the Consortium in complying with a HUD finding, the Representative Member or any other Member may take any steps necessary to fulfill its obligations to HUD and under this Agreement, including but not limited to legal action.

d. Indemnification for Violations. Each Member shall hold harmless the Representative Member, the Consortium and the other Members from and against all claims for repayment of HOME project funds attributable to such Member's failure to comply with applicable HUD regulations, this

Agreement, - and from penalties, costs and attorneys' fees related to such failure.

SECTION 9 - FAIR HOUSING

a. Each Member agrees to affirmatively further fair housing in accordance with applicable Federal Law, Consolidated Strategy and Plan and with 24 CFR 570.904(c).

b. Affirmative Marketing. The Representative Member shall adopt and implement an Affirmative Marketing Plan including affirmative marketing procedures for HOME assisted housing containing 5 or more housing units consistent with the requirements of HOME Program regulations 92.351. Each Member shall summarize these procedures in an affirmative marketing plan for each project. Documentation of action taken to carry out said site-specific plans shall also be placed in said files.

SECTION 10 – HOME/GENERAL PROVISIONS

a. Federal Regulations. The provisions of 24 CFR 92, HOME Investment Partnerships Program, Final Rule, 24 CFR 92 dated September 16, 2003 (hereinafter "HOME Program regulations") and all future amendments and revisions to the same are hereby incorporated into and made a part of this Agreement. The Representative Member and Members shall at all times comply with said HOME Program regulations and shall comply with other related Federal and state statutes and regulations, Executive Orders, 2 CFR 200, and all future revisions and amendments to the same. The Members shall become thoroughly familiar with all of the foregoing requirements as applicable and shall ensure that all projects comply in all respects.

b. Environmental Review. The release of funds for all HOME assisted projects and activities is subject to environmental review as set forth in HOME Program regulation 92.352 and 24 CFR 58. Each Member shall prepare and provide to the Representative Member all information necessary to obtain Release of Funds from HUD and documentation to establish specific site clearance consistent with Consortium procedures.

c. Equal Opportunity. Each Member shall comply with all applicable Federal and State laws governing discrimination and equal opportunity. In particular, each Member shall ensure compliance with HOME Program regulations 92.350 and the following statutes and executive orders pertaining to Equal Opportunity: Fair Housing Act; Executive Order 11063 (Equal Opportunity in Housing); Civil Rights Act of 1964, Title VI (Nondiscrimination in Federally Assisted Programs); Age Discrimination Act of 1975; Rehabilitation Act of 1973, Section 504; Executive Order 11246 (Equal Employment Opportunity); Housing and Urban Development Act of 1968, Section 3; Executive Orders 11625 and 121432 (Minority Business Enterprise); Executive Order 12138 (Women's Business Enterprise).

d. Labor Standards. Each Member shall comply with and/or ensure compliance with all applicable state and federal labor laws, including but not limited to the Davis/Bacon Act, 40 U.S.C. 276a-5 et. seq., Section 3 requirements established in 24 CFR part 75 and as applicable pursuant to HOME Program regulations 92.354. In particular, each Member shall comply with and/or ensure compliance with all applicable federal laws and regulations pertaining to labor standards and HUD

Handbook 1344.1 (Federal Labor Standards Compliance in Housing and Community Development Programs), and all future amendments and revisions thereto. Each Member shall require certification as to compliance with the provisions of this paragraph as required by HOME Program regulation 92.354.

e. Records. Each Member shall maintain all applicable records for its project(s) consistent with HOME Program regulations 92.508 Record-keeping. In addition, each Member shall make available copies of all such records as may be requested by the Representative Member for administration of the Consortium.

f. Reports. The Representative Member shall, on behalf of the Consortium submit such reports (with full and complete copies to the Member) as may be required pursuant to HOME Program regulations 92.509 Performance Reports. Each Member shall cooperate with the Representative Member in providing all data and information specific to each community and projects in such formats and time frame as required by HUD and the Representative Member. In addition, each Member shall prepare and submit to the Representative Member the project completion reports required by HOME Program regulation 92.502(d) Submission of project completion reports. This report shall be submitted to the Representative Member within 45 days of the final requisition for HOME funds together with a fully completed AL Consortium Project Compliance Checklist. Following review of the above for completeness, the Representative Member shall transmit the Project Completion Report on behalf of the Consortium to HUD as required by 92.502(d).

g. Faith Based Organizations. Each Member shall ensure that HOME funds are disbursed to a faith based organization in compliance with HOME Program regulations 92.257. In addition, each Member shall comply with the provisions of the above regulation with respect to assisting wholly secular organizations established by religious organizations which may be eligible to participate in HOME funded projects.

h. Conflict of Interest.

(i) In accordance with HOME Program regulation 92.356, the procurement of property and services by the Consortium, its Members and subrecipients is governed by the conflict of interest provisions stated in 2 CFR 200. Each Member shall comply with all applicable federal and state conflict of interest rules and shall endeavor to ensure the compliance with the same by all subrecipients as defined in HOME Program regulations 92.2 or other persons designated to receive HOME funds pursuant to this Agreement. At a minimum, each Member shall make a copy of all applicable conflict of interest provisions available to all recipients of HOME Program funds.

(ii) The conflict of interest provisions of part (i) of this section shall apply to the following persons: any person who is an employee, agent, consultant, officer, elected or appointed official of the Representative Member, or of the Members designated herein, or any state recipient, or subrecipient of HOME funds. None of the foregoing who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME

funds or who are in position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest or benefits from a HOME assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Any exceptions to the conflict of interest provisions stated or cited herein must be approved by HUD in accordance with HOME Program regulation 92.356(d). Each Member shall advise the Representative Member in writing as to any such exceptions granted by HUD.

i. HOME Project Requirements. Each Member shall perform and carry out the projects as described in the Consolidated Plan and Annual Action Plan approved by HUD during the period covered by this Agreement and funded pursuant to Consortium-Member HOME -Agreements consistent with specific Project Descriptions and in compliance with the requirements of HOME Program regulations Subpart F, Project Requirements, as applicable, depending upon the type of project assisted. Each Member shall comply with requirements contained in Subparts E and F specifically in HOME Program regulations 92.205 to 92.215 concerning eligible and prohibited activities, income targeting requirements in regulations 92.216 and 92.217, unit subsidy limits, and all other applicable requirements stated in regulations 92.250 through 92.258. Written agreements executed with a brecipient or other entity shall contain provisions requiring compliance with the regulations cited herein.

j. Ownership, Use, and Disposition of Property. Each Member shall comply with the affordability provisions referenced in HOME Program regulations 92.252 - 92.256, as applicable, which include income targeting, use requirements, initial and subsequent sale restrictions. For rental projects assisted with HOME funds, each Member shall require that the affordability requirements of HOME Program regulation section 92.252 be enforced by deed restriction or by restrictive covenants running with the land in accordance with HOME Program regulation 92.252(e). If a Member fails to comply with any of the requirements of this provision, the Member shall be required to repay HOME funds disbursed pursuant to this Agreement, consistent with HOME Program regulation 92.503(b).

k. Post-Completion Requirements. Upon completion of a project, each Member shall enforce all applicable short and long-term special requirements. Such requirements include, but are not limited to: compliance with housing affordability requirements (see HOME Program regulations 92.252 – 92.255 and 92.504(c)), and compliance with the Housing - Standards (see regulation 92.251 and 92.504(c)&(d)). Each Member shall require owners of HOME assisted housing to comply with the requirements stated above and all applicable requirements for the duration of the applicable period of affordability and shall incorporate such time period into the duration of agreements executed with recipients of HOME funds. Prior to the anticipated completion date for each site, each Member shall prepare a plan for each post-completion enforcement responsibility by site and shall include such plans in each site file. Each file shall include a Certificate of Final Inspection indicating compliance with applicable housing standards. Each Member shall notify the Representative Member of compliance with this requirement by completing the Post-completion Plan item on the ALConsortium Project Compliance Checklist for each site.

l. Other Federal Regulations and Provisions. Each Member shall comply with Federal regulations

incorporated in HOME Program regulation Subpart G, sections 92.300 through 92.303, Subpart H, sections 92.350 through 92.357, and all other applicable HOME regulations as well as all project requirements per this Agreement, provided that a Member's responsibilities with respect to environmental review contained in Subpart H shall be as stated in SECTION 10 – HOME GENERAL PROVISIONS, paragraph b., Environmental Review above.

m. Lead-Based Paint. Each Member shall remain solely responsible for ensuring that all projects at all times comply with applicable requirements of the Lead Based Paint Poisoning Prevention Act, 42 U.S.C. 4821, et, seq.; Lead-Based Paint Regulations 24 CFR 35 and all future revisions and amendments to the same. Each Member shall also ensure that all projects comply with such Lead-Based Paint regulations as may be adopted pursuant to HOME Program regulation 92.355, and with the applicable requirements of the Maine Lead Paint Statute, and all future revisions and amendments to the same.

n. Audit and Monitoring.

(i) General. Consortium and Member records shall be audited consistent with 2 CFR 200. Each Member shall be responsible for the cost of all audits performed on its records and operations pursuant to this section and may use designated HOME administrative funds. Other entities shall be responsible for the cost of their audits, respectively, and shall not use HOME funds for any portion of the cost of such audits unless expressly approved by a Member and included as an authorized cost in the Project Budget. Each Member and/or its subrecipient shall make available all such records and documents as requested by the Representative Member, HUD, and/or the Comptroller General of the United States. Such parties may examine and make copies, excerpts or transcripts from such records and may audit all contracts, procurement records, invoices, materials, payrolls, personnel records, conditions of employment, and all documents relating to all matters covered by this Agreement.

(ii) HUD Performance Reviews and Monitoring. HUD may conduct performance reviews and monitoring of the Consortium and of the Members as provided in HOME Program regulations 92.550 - 92.552. Each Member agrees to cooperate with HUD and the Representative Member to undertake such remedial action as may be required pursuant to HOME Program regulation 92.551, Corrective and remedial actions.

(iii) Monitoring. The Representative Member shall monitor each Member's projects to ensure full compliance with all applicable requirements. All monitoring shall be performed in accordance with applicable HUD monitoring guidelines and on forms agreed to by the Representative Member and Member. Monitoring shall occur between January and June of even years starting with 2023. Representative Member and Member - shall be responsible to follow through to resolve and clear any monitoring findings with respect to their own projects.

o. Indemnification.

(i) Disclaimer. Each Member shall hold harmless and defend the Representative Member, the Consortium, and the other Members from and against all claims arising from any latent, or patent defects in any work performed or services provided with respect to each Member's projects pursuant to this Agreement and any duly executed Consortium-Member HOME - Agreement.

(ii) Indemnification. Each Member shall indemnify, hold harmless and defend the Representative Member, the Consortium, and its agents, from and against all claims, damages, losses, and expenses including, but not limited to, attorneys' fees arising out of or resulting from the use of HOME funds disbursed pursuant to this Agreement with respect to each Member's projects, provided that any such claim, damage, loss or expense is (1) attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, and (2) is caused in whole or in part by any negligent act or omission of a Member, anyone directly or indirectly employed by a Member, or anyone for whose acts the a Member may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder.

p. Insurance. Each Member shall require that all owners, contractors and subrecipients of HOME assisted projects shall at all times maintain certain types of insurance coverage consistent with the character of the project and shall ensure compliance with the following as applicable.

(i) Certificate of Insurance. At time of closing of a grant or loan providing assistance, each Member shall obtain a certificate of insurance covering the assisted premises. Said certificate shall provide coverages of the types and amounts stated in subparagraphs (A) and (B) herein. The insurance provided shall be maintained for the duration of the note, mortgage or the affordability period, whichever is longer.

(A) The certificate of insurance shall provide, at a minimum, comprehensive general liability insurance and property insurance with an arrangement of coverage specifying the premises. The certificate shall name the Member as loss payee. Any changes from the standard required coverages and amounts as stated below must be mutually agreed to in advance and in writing by the Member and Representative Member.

(B) Minimum Requirements. Typically, the following coverage will be required at the minimum amounts indicated:

Property Insurance: *Minimum Amount* = 100% of market replacement value or amount of HOME funds invested and all senior indebtedness, whichever is greater.

Liability Insurance: *Minimum Amount* = HOME funds and all senior indebtedness.

(ii) Flood insurance. All HOME - assisted projects are subject to the Federal Flood Disaster Protection Act and associated regulations. Each Member shall ensure compliance with the applicable requirements, including ensuring the provision of flood insurance protection coverage, when required. At time of closing for providing assistance, each Member shall obtain a certificate of insurance covering the assisted premises. Said

certificate shall provide the following minimum coverage: *Minimum Amount* = HOME funds and all senior indebtedness.

(iv) Construction Insurance. Prior to the commencement of work on any HOME-assisted site, each Member shall obtain a certificate of insurance covering the work to performed. Said certificate shall provide coverages for premises, operations, contractual liability, completed operations, automobile liability, employers liability, workers' compensation and professional liability (where applicable). Minimum amounts are stated in subparagraphs (A) and (B) below. The insurance shall be maintained for the duration of the work to be performed.

(A) Minimum Requirements. Typically, the following coverages will be required at the minimum amounts indicated:

Workmans' Compensation:	Statutory coverage.
Employer's Liability:	$100,000 Coverage B
Comprehensive General Liability:	$300,000 each occurrence
Bodily Injury:	$500,000 each occurrence
Property Damage:	$100,000 each occurrence $300,000 aggregate

(B) Automobile Liability (case by case basis, subject to determination by Member and Representative Member) for owned and non-owned vehicles:

Property Damage:	$100,000 each occurrence $100,000 aggregate
Bodily injury	$250,000 each occurrence $500,000 aggregate

q. Displacement and Relocation.

(i) General. Each Member shall take all reasonable steps to minimize displacement of persons consistent with the requirements of HOME Program regulation 92.353. In the event that displacement cannot be avoided, each Member shall ensure compliance with HOME Program regulation 92.353, including the provision of relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, hereinafter "URA", as amended. In addition, the Member shall ensure compliance with the most current edition of HUD Handbook 1378 "Tenant Assistance, Relocation and Real Property Acquisition".

(ii) Use of Community Development Block Grant funds (CDBG). If CDBG funds are utilized in the HOME assisted project for optional relocation costs (not administrative or planning costs) and/or for any project based costs, including staff project delivery costs, each Member shall ensure compliance with all applicable provisions of the Housing and Community

Development Act of 1974, and applicable implementing regulations set forth in 24 CFR 570.

(iii) Responsibility of Member. Each Member shall prepare and maintain all necessary displacement and relocation plans and documentation, including, but not limited to site-by-site relocation plans, determinations of comparable housing, amounts and types of relocation assistance proposed, etc. as required by the URA. Each Member shall record compliance with all applicable relocation requirements on the AL Consortium Project Compliance Checklist.

r. Acquisition. The acquisition of real property for a HOME project is subject to HOME Program regulation 92.353, the URA and the requirements of 49 CFR 24, Subpart B. Each Member shall ensure compliance with all of the foregoing, and shall prepare and maintain all necessary acquisition documentation, including, but not limited to: appraisals, offer letters, required notices, checklists, and any related materials.

s. Procurement. Each Member agrees to fully comply with applicable requirements as referenced in 2 CFR 200. Procurement steps must satisfy all applicable advertisement, competitive pricing, minority outreach, award, documentation and related requirements. Note that 2 CFR 200.213 prohibits the use of debarred firms.

t. Loan Servicing. In the event a loan or loans are issued with HOME funds, the Representative Member and each Member shall work out appropriate arrangements for the financial servicing of said loan(s) satisfactory to the parties. Each Member shall establish and maintain accounting records and procedures consistent with 2 CFR 200, HOME Program regulations 92.505 and 92.508(a)(6), including but not limited to individual loan case files, loan account histories, posting of payments and/or deferrals, account maintenance and updates, recording of loan discharge documents, preparation of IRS reports as applicable, loan portfolio reports, loan receivables control, loan repayment and interest reports, and related loan management documents. Loan payments, repayments and recaptures shall be handled in accordance with 92.503.

u. Assignability. Neither any Member nor the Representative Member shall assign any interest in this Agreement and shall not transfer any interest in the same whether by assignment or novation.

v. Liens.

(i) General. Each Member shall ensure that any property benefiting through a HOME-assisted activity is free from any attachments, tax liens, mechanics' liens or any other encumbrances except as provided in paragraph (ii) below.

(ii) A property assisted with HOME funds may have multiple mortgages subject to the discretion of each Member, and subject to loan underwriting analysis confirming sufficient equity is available to secure such HOME loan as may be secured by said property.

SECTION 11 - CHANGES

In the event that changes in this Agreement become necessary, a Member initiating such changes shall notify the Representative Member in writing describing the subject changes. Upon mutual consent regarding the requested changes, the Representative Member shall prepare an amendment

to this Agreement incorporating said changes which shall become effective following execution of the respective authorized signatories of the Members.

SECTION 12 - APPLICABLE LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Maine and all applicable HUD regulations. HUD HOME Program regulations (primarily at 24 CFR 92) and requirements, as now or hereafter in effect, are incorporated by reference and shall take precedence for determining any issues that may arise concerning the Consortium.

SECTION 13 - SEVERABILITY

a. The provisions of this Agreement are severable. In the event that any provision herein is declared void or unenforceable, all other provisions shall remain in full force and effect.

b. This Agreement is executed in two (2) counterparts, each of which shall be deemed to be an original and constituting together one and the same instrument, this being one of the said counterparts.

SIGNATORIES

IN WITNESS WHEREOF the parties hereto have executed this Agreement in two counterparts, as of the date first written above.

Representative Member:	**Member:**
_____	_____
City of Auburn, by its City Manager	City of Lewiston, by its City Administrator
_____	_____
Witness	Witness

Project Compliance Checklist

RENTAL HOUSING

- *Local project approval*
- *Environmental Review/Assessment*
- *Commitment letter with designation of HOME units*
- *IDIS HOME Set-up Form*
- *HOME underwriting/subsidy layering*
- *HOME Agreement*
- *Section 3 Reporting*
- *Certification/property standards*
- *Construction project inspections*
- *Affirmative Marketing Plan*
- *HOME Closeout/Match credit*

Homebuyer

- *Local Project approval*
- *Commitment Letter with designation of HOME units, if any*
- *Inspection Report*
- *IDIS HOME Set-up Form*
- *HOME Agreement*
- *HOME underwriting/subsidy layering*
- *Certification/property standards*
- *HOME Closeout/Match credit*

Security Deposit

- *Local project approval*
- *HOME Loan Agreement*
- *IDIS Home Set-up Form*

ORDER 92-06272022

City Council Order

IN CITY COUNCIL

ORDERED, the City Manager approve and sign the HOME Funds Consortium Agreement for the period commencing on July 1, 2022, and ending June 30, 2025, as presented.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large
Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 Order: 93-06272022

Author: Dan Goyette, Capital Investments & Purchasing Director

Subject: HVAC SYSTEMS

Information: In partnership with Building Infrastructure Management Solutions (BIMS), we have identified three city-owned facilities totaling four projects that are in need of HVAC upgrades and/or replacements of equipment. These upgrades/replacements will provide for air quality improvements, heating, air conditioning, and a reduction in excessive operational costs (energy and maintenance.) The four selected projects have been prioritized based on imminent failure and/or need.

Hasty Community Center – carbon dioxide levels far exceed acceptable standards. There is currently no air conditioning system, and the heating system is 66 years old. (Boiler is only 13 years old but the piping system is 66 years old and does not function.)

Library – The existing boilers are beyond their useful life. Currently, staff is utilizing plug in portable heaters to make their workspace comfortable. Will replace existing boiler with state-of-the-art boilers and associated piping.

Library – Current ventilation system does not work. Carbon dioxide levels far exceed acceptable standards. Will upgrade to new roof top units.

Norway - Ventilation system does not currently work as designed. Carbon Dioxide levels far exceed acceptable standards. Ventilation system does not meet code requirements.

The upgrade/replacements of all these projects will result in energy savings as well as improved health of our staff and users.

This project aligns with ARPA (American Rescue Plan Act) focus area – 1 / 1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to theCOVID-19 public health emergency.

City Budgetary Impacts: None

Staff Recommended Action: Vote to allocate $1,600,000.00 in ARPA (American Rescue Plan Act) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

Previous Meetings and History: Workshop presentation June 6, 2022

City Manager Comments:

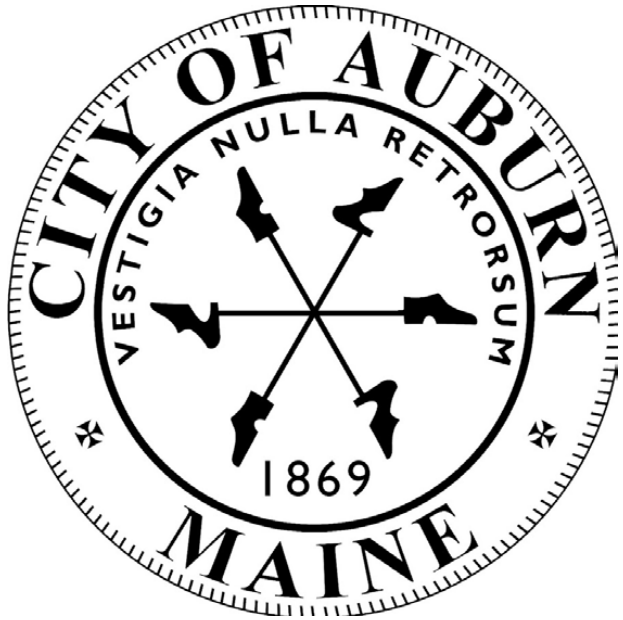
I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Power point presentation

Supporting our Public Building Assets While Reducing Taxpayer Burden Utilizing ARPA Funding

A Financial and Technical Summary



Supporting our Public Building Assets While Reducing Taxpayer Burden Utilizing ARPA Funding

Hasty Community Center

- *City Emergency Shelter*
- *Critical Space During COVID Pandemic (School Space)*

Auburn Public Library

- *Brings People, Resources and Ideas Together*

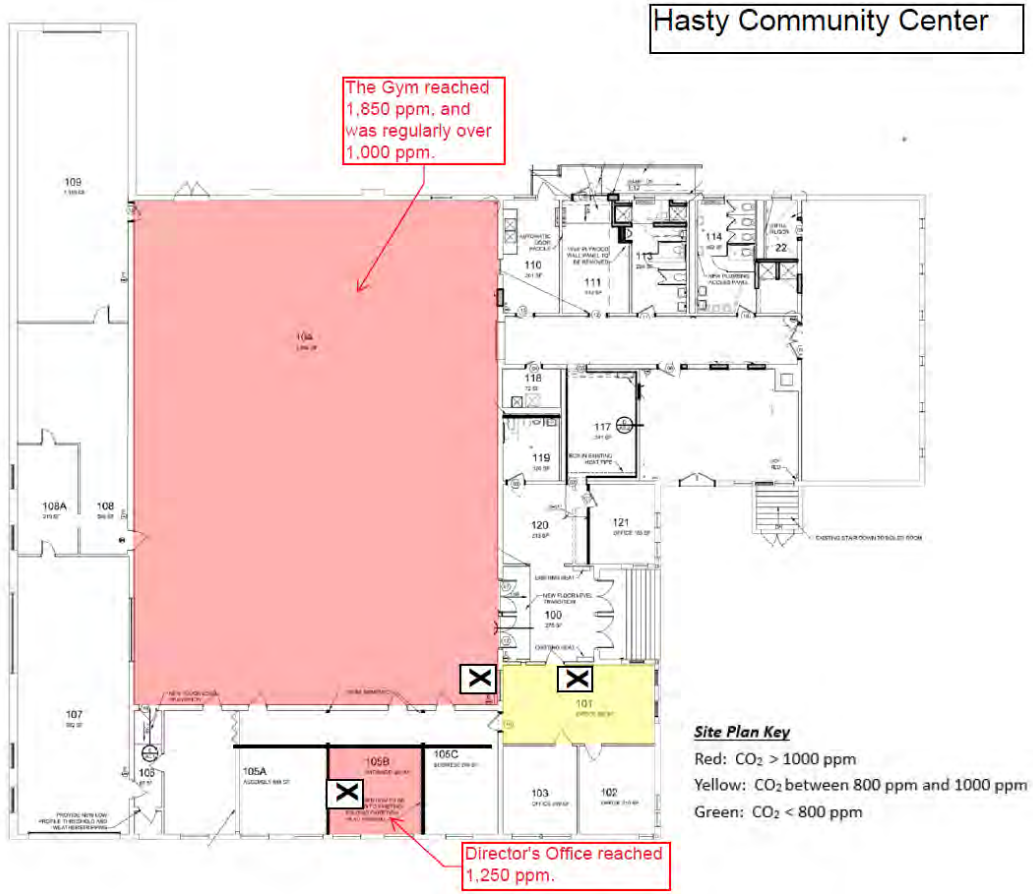
Norway Savings Bank Arena

- *Maine's Only Dual Surface Ice Arena*

Hasty Community Center - A City Public Shelter

Current Situation

- The existing steam heating system ***is sixty-six (66) years old and failing.*** The piping is corroding and leaking. Some areas of the building have no heat.
- The building ventilation is not working. The CO2 levels in the main Gym are very high (1,850 ppm). ***These excessive CO2 levels negatively impact the physical health*** and mental acuity ***of all*** occupants of the building.
- The electrical service is out of date and unsafe.
- There is no cooling (air conditioning) in the building so interior temperatures in summer are extremely uncomfortable.



Risks

- Legal liability for the City (occupant health)
- Boiler failure (shutdown of facility)
- Excessive operational costs (energy and maintenance)
- Missed opportunity by not using ARPA funds

Hasty Community Center- ”For the Kids”

What Do the Proposed Projects Accomplish?

- The new project will provide ***very efficient heat pumps to provide reliable heating for the building.***
- The two, new Energy Recovery Ventilators will continuously provide ***building code required ventilation air*** to building occupants, reducing CO2 and making the building safe.
- For the Gymnasium area, a new rooftop unit will provide ***building code required ventilation air*** and energy efficient temperature control.
- A new building automation and temperature control system will maintain uniform temperatures and ***reduce energy consumption*** during all occupied and unoccupied time periods.
- A modern ***and safe*** electrical service will be installed to reduce the chance of an unsafe hazard to the benefit of all occupants.

Hasty Community Center

Benefits of Proposed ARPA Projects

- ***Immediate*** Return-On-Investment (ROI) by substantially reducing the City of Auburn's liability due to documented elevated and unsafe CO2 levels and unreliable building heating infrastructure.
- ***Secondary ROI*** through documentable maintenance and energy savings for the benefit of the Auburn taxpayer.
- Reduces the risk of a ***prolonged building shutdown*** caused by documented electrical and heating deficiencies.
- Provides ***twenty years of additional building asset life*** through the replacement of critical infrastructure assets
- Directs ARPA funding to Auburn taxpayer benefit **by funding immediate infrastructure needs** via a third party (vs. taxpayer footing the bill).

Auburn Public Library - Boilers

Current Situation

- The existing boilers are ***breaking down frequently***. Due to the age of the boilers, the ***replacement parts are no longer available.***
- Maintenance costs are very high as a result of boiler age and unavailability of parts
- The boilers are piped inefficiently and ***waste energy***.

Risks

- Boiler failure could lead to a ***shutdown of Auburn Public Library***
- ***Excessive operational costs*** (energy and maintenance)
- Possible ***fire hazard*** with the use of portable heaters
- Missed opportunity for use of ARPA funds

The Library boilers break down often and parts are unavailable. This makes maintenance costs very high.

Auburn Public Library – Boiler Replacement Project

What Do the Proposed Projects Accomplish?

- The new project will provide ***very efficient and reliable heating for the building.***
- The new project will install two, new state of the art boilers that will ***be maintainable for a twenty-year period***.
- The new boiler piping will improve hot water flow in and out of the boiler room to ***improve energy efficiency*** of heating the Library.
- The new boilers and the hot water pumps ***will produce energy and operational savings.***
- The new system will utilize natural gas to maintain the ***energy savings design*** of the boiler room equipment.

Electric heaters are used throughout the Library to compensate for poor heating system operation.

Auburn Public Library Boiler Replacement

Benefits of Proposed ARPA Projects

- ***Immediate Return-On-Investment (ROI)*** by substantially reducing the City of Auburn's liability due to unsafe and unreliable building heating infrastructure.
- ***Secondary ROI*** through documentable maintenance and energy savings for the benefit of the Auburn taxpayer.
- Reduces the risk of a ***prolonged building shutdown*** caused by documented heating deficiencies.
- Provides ***twenty years of additional building asset life*** through the replacement of critical infrastructure assets
- Directs ARPA funding to Auburn taxpayer benefit ***by funding immediate infrastructure needs*** via a third party (vs. taxpayer footing the bill).

Auburn Public Library – Ventilation Air Project

Current Situation

- ***Ventilation Air in the Library is not functioning.*** Even with very low occupancy, the CO2 levels in the occupied areas is elevated. ***No ventilation air in children's reading room!***
- ***Temperature control is very poor*** in the Library spaces. The existing units' air handling unit is not sophisticated and ***results in significant temperature control issues in the space.***
- The ventilation rooftop units on the Library are at the ***end of their service life.***

Risks

- ***Legal liability*** for the City (occupant health)
- ***Excessive operational costs*** (energy and maintenance)
- ***Public Health and Safety Risk***
- Missed opportunity to use ARPA funds

Auburn Public Library – Building Code Required Ventilation Air via New Rooftop Mounted HVAC Units

- The project will install new ventilation air rooftop mounted units to ***provide much improved heating, cooling and ventilation air*** to the indoor spaces.
- The new units are state of the art and will provide ***energy savings.***
- An ***integrated temperature control system will*** connect the new boilers to the the new rooftop units ***optimizing energy savings during all occupied and unoccupied periods***.
- The new rooftop units will ***dramatically improve comfort and public safety*** in the Library.

What Does the Proposed Project Accomplish?

Auburn Public Library Ventilation Air Project

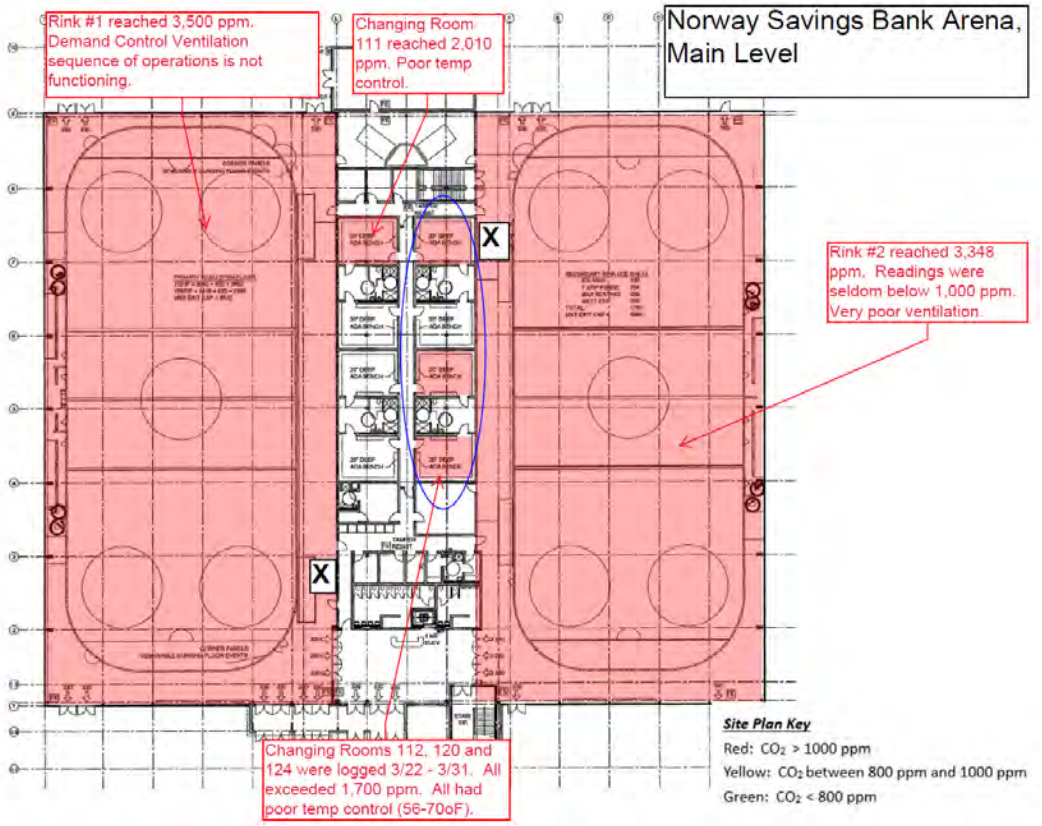
Numerous Benefits of Proposed ARPA Library Ventilation Air Project

- ***Immediate*** Return-On-Investment (ROI) by substantially reducing the City of Auburn's liability due to documented elevated and unsafe CO2 levels and unreliable building heating infrastructure.
- ***Secondary ROI*** through documentable maintenance and energy savings for the benefit of the Auburn taxpayer.
- Reduces the risk of a ***prolonged building shutdown*** caused by documented ventilation air deficiencies.
- Provides ***twenty years of additional building asset life*** through the replacement of critical infrastructure assets
- Directs ARPA funding to Auburn taxpayer benefit **by funding immediate infrastructure needs** via a third party (vs. taxpayer footing the bill).

Norway Savings Bank Arena-Ventilation Upgrade Project

Current Situation

- **Supply of Ventilation Air is not functioning!**
- CO2 levels in the rinks and locker rooms ***are exceedingly high.*** The rinks were measured above 3,500 ppm and the locker rooms were over 2,000 ppm. ***This is impacting occupants' physical health and mental acuity***
- Ventilation exhaust rates in shower and toilet rooms ***are half of code requirements.***
- Dehumidification is not functioning, and water is condensing off the cold walls in locker room and support spaces during summer.
- Seating areas are too cold during winter events.
- The ***energy consumption in the facility has increased significantly over the last 8 years.*** (over 50% according to Dude Solutions data)



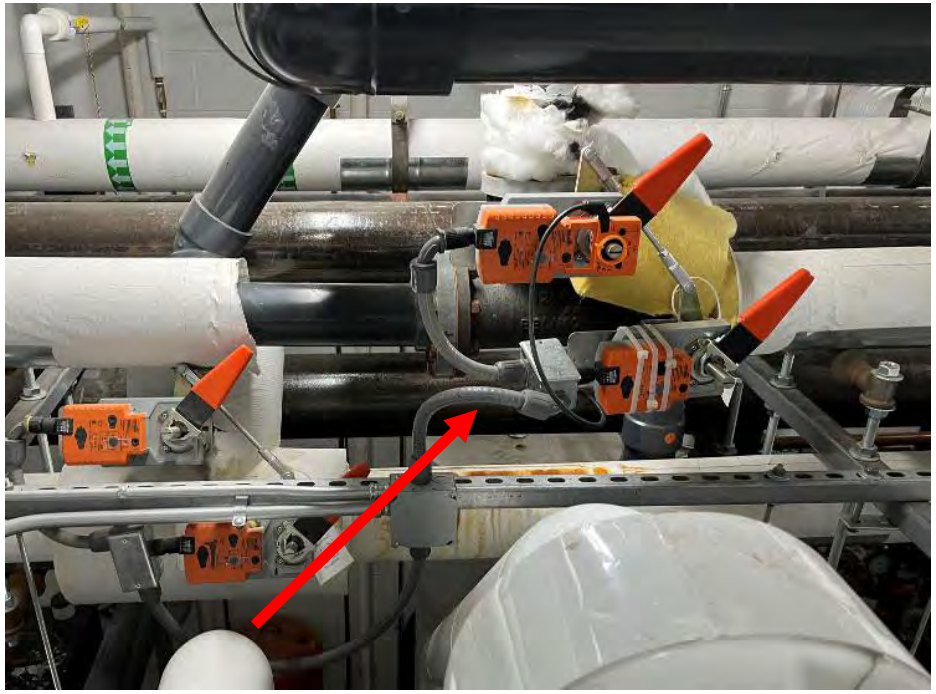
Risks

- Legal liability for the City (significant occupant health issue)
- Excessive operational costs (energy and maintenance)
- **Lost opportunity for a good use of ARPA funds**

Norway Savings Bank Arena

What Do the Proposed Projects Accomplish?

- The ventilation control upgrade is needed to make **ventilation air function properly.** This will also improve energy efficiency and lower utility expenditures.
- The new project will install a new, larger exhaust system to serve shower and toilet rooms in the locker rooms.
- The project will ***upgrade controls*** to facilitate dehumidification operations on the existing equipment.
- These efforts will ***eliminate the moisture problems*** in the locker room and support spaces by removing excess moisture and enabling current dehumidification functions.
- The entire ice making system will be recommissioned for optimized ***energy savings.***



The glycol valves on Cubes 1-4 are not controlled properly to provide dehumidification to the locker room AHU's.

Norway Savings Bank Arena

Benefits of Proposed ARPA Projects

- ***Immediate*** Return-On-Investment (ROI) by substantially reducing the **City of Auburn's liability due** to documented **elevated and unsafe CO2 levels.**
- ***Secondary ROI*** through documentable maintenance and energy savings for the benefit of the Auburn taxpayer.
- Reduces the risk of a ***prolonged building shutdown*** caused by documented ventilation system deficiencies.
- Directs ARPA funding to Auburn taxpayer benefit **by funding immediate infrastructure needs** via a third party (vs. taxpayer footing the bill).

ORDER 93-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council allocate $1,600,000.00 of American Rescue Plan Act ((ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 6/27/2021 **Order:** 94-06272022

Author: Brian Wood, Assistant City Manager

Subject: Amending Order 137-120620214 Dark Fiber Network Previously Adopted by the City Council

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Information:

The City of Auburn, in an effort to increase connectivity, maintain reliability and invest in resiliency is exploring the opportunity to join a consortium with Lewiston, and AWSD to stand up municipal owned fiber and explore last mile partnerships with private businesses. While this effort is still being explored the City request an amendment to the original order allowing for additional uses for cyber security and IT policy updates. This is in alignment with connectivity, reliability, and resilience. This will allow the city to ensure safety and adherence to IT policy best practices to ensure a safe and secure network.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends exploring this opportunity.

Previous Meetings and History: Order 137-12062021 adopted at the 12/6/2021 Council meeting.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

ORDER 94-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council hereby amends Order 137-12062021 that was previously adopted by the City Council on 12/6/2021 as follows:

ORDER 137-12062021

ORDERED, that the City of Auburn City Council allow for the funding allocated to join a consortium with the City of Lewiston and the Auburn Water and Sewer District (AWSD) to stand up a municipal owned fiber network to include additional Cyber security and policy allotments. The City of Auburn will disburse up to $250,000. from the American Rescue Plan Act (ARPA) funds for the installation of a backbone dark fiber network and/or other cybersecurity or policy software upgrades.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large
Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: 06/27/22 **Order:** 95-06272022

Author: Jay Brenchick, Director, Economic Development

Subject: OpBox and www.Rent.Fun.com

Information: The Downtown Revitalization Plan calls for incorporating river activities in our events and to use these activities as a way to draw businesses and people to our downtown areas. This workshop will provide information for City Council to learn about riverfront activities using OpBox and the Rent.Fun kayak rental kiosk. We will review the www.OpBoxInfo.com and www.Rent.Fun websites, as well as discuss the promotional and revenue share opportunities.

City Budgetary Impacts: $100K ARPA Funds

Staff Recommended Action: Approval to use ARPA Funds

Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: N/A

ORDER 95-06272022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the allocation of American Rescue Plan Act (ARPA) funds for the purchase and partnership of Oboes and a Rent.Fun kayak rental kiosk.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022 **Ordinance:** 17-06272022

Author: Sue Clements-Dallaire, City Clerk

Subject: Re-districtng

Information: Title 30-A §2503 (2) states that "the Municipal Legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts". Those were adopted by the 130th Legislature and signed into law by the Governor on 9/29/21.

Title 30-A §2503 (1)(B) also states "each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created".

Below are the numbers taken from the 2020 census and broken down by districts.

Ward	Target Population	Actual Population	Variance
1	4,812.2	5,040	+227.8
2	4,812.2	4,665	-147.2
3	4,812.2	5,023	+210.8
4	4,812.2	4,615	-197.2
5	4,812.2	4,718	-94.2
	24,061	24,061	

The variance between the lowest (W4) and highest (W1) populated districts is 425 or 9%.

We are proposing re-adopting the ward maps and descriptions but will have to replace references to the 2010 census block numbers with the 2020 census block numbers in the written descriptions.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends re-adopting the current Ward lines.

Previous Meetings and History: Every 10 years following the census. This was presented at the 6/6/2022 Council workshop.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: 30-A Sec. 2503, maps Voting District Maps | Elections and Voting (arcgis.com) and descriptions.

§2503. Reapportionment

1. Adoption by ordinance. Districts established for the purpose of electing, from each district, an equal number of municipal officers may be adjusted, by ordinance, by the municipal legislative body subject to the following conditions.

A. Each district must be formed of compact, contiguous territory. Its boundary lines may follow the center lines of streets. [PL 1987, c. 737, Pt. C, §2 and Pt (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The ordinance must include a map and a description of the districts. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. The ordinance takes effect on the 30th day after adoption by the legislative body. The new districts and boundaries, as of the effective date, supersede previous districts and boundaries for the purposes of the next regular municipal election, including nominations. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Failure to enact ordinance. The municipal legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts pursuant to the Constitution of Maine, Article IV, Part First, Section 3 and Article IV, Part Second, Section 2 or after a court decision finalizing the reapportionment of districts. The ordinance must be enacted at least 90 days before a regular municipal election occurring within that 12-month period or the previous reapportionment ordinance applies to that election. If the legislative body fails to enact an ordinance within the 12-month period or at least 90 days before a regular election occurring after the 12-month period, all municipal officers to be elected must be elected at large and serve until their terms expire. Such at-large elections continue until the legislative body enacts an ordinance in accordance with subsection 1 at least 90 days before a regular municipal election.

[PL 2001, c. 537, §1 (AMD); PL 2001, c. 537, §2 (AFF).]

3. Referendum. Except when the municipal legislative body is the town meeting, the voters of the municipality may require the municipal legislative body to reconsider any ordinance adopted under subsection 1. If the legislative body does not repeal an ordinance so reconsidered, the voters may approve or reject it at a municipal election.

A. Any 5 voters may commence referendum proceedings by filing an affidavit with the municipal clerk stating:

(1) They will constitute the petitioners' committee;

(2) They will be responsible for circulating the petition and filing it in proper form;

(3) Their names and addresses;

(4) The address to which all notices to the committee are to be sent; and

(5) The ordinance sought to be reconsidered.

Promptly after the affidavit of the petitioners' committee is filed, the clerk shall issue the appropriate petition blanks to the petitioners' committee. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Petitions under this subsection must meet the following requirements.

(1) Petitions must be signed by a number of voters of the municipality equal to at least 15% of the total number of voters in the municipality at the last presidential election.

(2) All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature must be executed in ink or indelible pencil and must be followed by the address of the person signing. While being circulated, petitions must have the full text of the ordinance sought to be reconsidered contained in or attached to the petition.

(3) When filed, each paper of a petition must have an affidavit, executed by the circulator of the petition, attached to it stating:

(a) That the circulator personally circulated the paper;

(b) The number of signatures on the paper;

(c) That all the signatures were signed in the circulator's presence;

(d) That the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and

(e) That each signer had an opportunity before signing to read the full text of the ordinance sought to be reconsidered.

(4) Petitions must be filed within 30 days after the municipal legislative body adopts the ordinance sought to be reconsidered. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The following procedure shall be followed after the petition is filed with the municipal clerk.

(1) Within 20 days after the petition is filed, the municipal clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars which render it defective. The clerk shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of the clerk's certificate and files a supplementary petition upon additional papers within 10 days after receiving a copy of the certificate. This supplementary petition must comply with the requirements of paragraph B, subparagraphs (2) and (3). Within 5 days after it is filed, the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of that certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend the petition or request review under subparagraph (2), within the time required, the clerk shall promptly present the clerk's certificate to the municipal legislative body and the certificate is then a final determination as to the sufficiency of the petition.

(2) If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee, within 2 days after receiving the copy of the certificate, may file a request that it be reviewed by the municipal legislative body. The legislative body shall review the certificate at its next meeting following the filing of the committee's request and approve or disapprove it. This determination is then final as to the sufficiency of the petition.

(3) A final determination as to the sufficiency of a petition is subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. When a petition is filed with the clerk under this subsection, the ordinance sought to be reconsidered is suspended from taking effect. This suspension ends when:

(1) There is a final determination of insufficiency of the petition;

(2) The petitioners' committee withdraws the petition;

(3) The council repeals the ordinance; or

(4) Thirty days have elapsed after a vote of the municipality on the ordinance. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. The following procedure shall be followed if a petition is determined to be sufficient.

(1) When a petition has been finally determined sufficient, the municipal legislative body shall promptly reconsider the referred ordinance by voting its repeal. If the legislative body fails to repeal the referred ordinance within 30 days after the date the petition was finally determined sufficient, it shall submit the referred ordinance to the voters of the municipality.

(2) The vote of the municipality on a referred ordinance shall be held at least 30 days and not more than one year after the municipal legislative body's final vote on the ordinance. If no regular municipal election is to be held within this period, the legislative body shall provide for a special election; otherwise the vote shall be held at the same time as a regular election occurring within this period, except that the legislative body, in its discretion, may provide for a special election at an earlier date within the prescribed period. Copies of the referred ordinance shall be made available at the polls.

(3) The form of the ballot for the repeal of the ordinance shall be substantially as follows:

"Shall the ordinance entitled '.....' be repealed?

YES / / NO / /"

(The voters shall indicate their choice by a cross or check mark placed in the appropriate box opposite the words YES or NO.)

(4) A petition may be withdrawn at any time before the 15th day prior to the day scheduled for a vote of the municipality. The petitioners' committee must file with the municipal clerk a request for withdrawal signed by at least 4 members of the petitioners' committee. Upon filing this request, the petition has no further effect and all proceedings on the petition shall be terminated. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

F. If a majority of the voters who vote on a referred ordinance vote for its repeal, it is considered repealed upon certification of the election results. [PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Exception. This section does not apply to municipalities whose charters specify different methods of reapportionment.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§A116,C8,10 (AMD). PL 1989, c. 104, §§A116,C10 (AMD). PL 2001, c. 537, §1 (AMD). PL 2001, c. 537, §2 (AFF).

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ORDINANCE 17-06272022

City Council Ordinance

IN CITY COUNCIL

Chapter 1, Sec. 2-2 Ward Boundaries

Be it ordained, that the Code of Ordinances, Chapter 1, Sec. 2-2 Ward Boundaries and attached Ward maps are adopted as attached:

Sec. 2-2. Ward boundaries.

(a) *Ward 1.* The boundaries of ward 1 shall be as follows:

Beginning at the southeast corner of census Block 4004 of Tract 010200 in the Androscoggin River; then southwest along the boundary of Block 4004 and then Block 4000 of Tract 010200 until it intersects with Turner Street; then northeasterly along the centerline of Turner Street until it intersects with Parker Street; then southwest along the centerline of Parker Street to the intersection of Summer Street; then northwest along the centerline of Summer Street to the intersection of Youngs Corner Road; northwesterly, southwesterly, and westerly along the centerline of Youngs Corner Road to the intersection of Jackson Hill Road; westerly and northwesterly along the centerline of Jackson Hill Road to the Auburn/Minot municipal boundary; then northerly along the Auburn/Minot municipal boundary to the intersection with the Auburn/Turner municipal boundary; then southeasterly along the Auburn/Turner municipal boundary to the Androscoggin River and the Auburn/Greene municipal boundary; then southerly along the Androscoggin River and the Auburn/Greene and Auburn/Lewiston municipal boundaries to the point of beginning.

(b) *Ward 2.* The boundaries of ward 2 shall be as follows:

Beginning at the intersection of Parker Street and Summer Street northwest along the centerline of Summer Street to the intersection of Youngs Corner Road; then northwesterly, southwesterly, and westerly along the centerline of Youngs Corner Road to the Jackson Hill Road; then westerly and northwesterly along the centerline of Jackson Hill Road to the Auburn/Minot municipal boundary; then southerly along the Auburn/Minot municipal boundary to the centerline of Garfield Road; then southeasterly along the centerline of Garfield Road to the intersection of Sunrise Lane; then westerly and northwesterly along the centerline Sunrise Lane to the northeasterly terminus of Sunrise Lane; then northeasterly, southeasterly and southwesterly along the boundary of Block 3008 of Tract 010800; then westerly and southerly along the boundary of Block 3009 of Tract 010800 and Block 3010 of Tract 010800 and Block 3012 of Tract 010800 to the intersection of Kendall Road; then westerly along the centerline of Kendall Road to the Intersection of Stevens Mill Road; then Southerly along the centerline of Stevens Mill Road to the intersection with Minot Avenue; then easterly along the Centerline of Minot Ave to the Southeast corner of Block 2010 of Tract 010400; then northwesterly along the boundary of Block 2010 of Tract 010400 to the intersection with Court Street then northeasterly along the centerline of Court Street to the intersection of Russell Avenue; then southeasterly along the centerline of Russell Avenue to the intersection of Goodrich Avenue; Then northeasterly along Goodrich Avenue to the intersection with Hillside Avenue; then southeasterly along the centerline of Hillside Avenue to the intersection of Merrill Street; then northeasterly along the centerline of Merrill Street. to the intersection of Western Avenue; then northwesterly along Western Avenue to the Intersection of Auburn Heights; then northeasterly and northwesterly along the centerline of Auburn Heights to the intersection of Harris Street; then northwesterly along the

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

centerline of Harris Street to the intersection of Court Street; then westerly on Court street to the intersection of James Street; then northerly along the centerline of James Street to the intersection of Grant Street; then easterly along the centerline of Grant Street to the intersection of Goff Street; then northerly along the centerline of Goff Street to the intersection of Pine Street; then easterly along the centerline of Pine Street to the intersection of Willow Street; then northeasterly along the centerline of Willow Street to the intersection of Webster Street; then southeasterly along the centerline of Webster Street to the intersection of Chestnut Street; then northeasterly along the centerline of Chestnut Street to the intersection of Parker Street; then northeasterly along the centerline of Parker Street to the point of beginning.

(c) *Ward 3.* The boundaries of ward 3 shall be as follows:

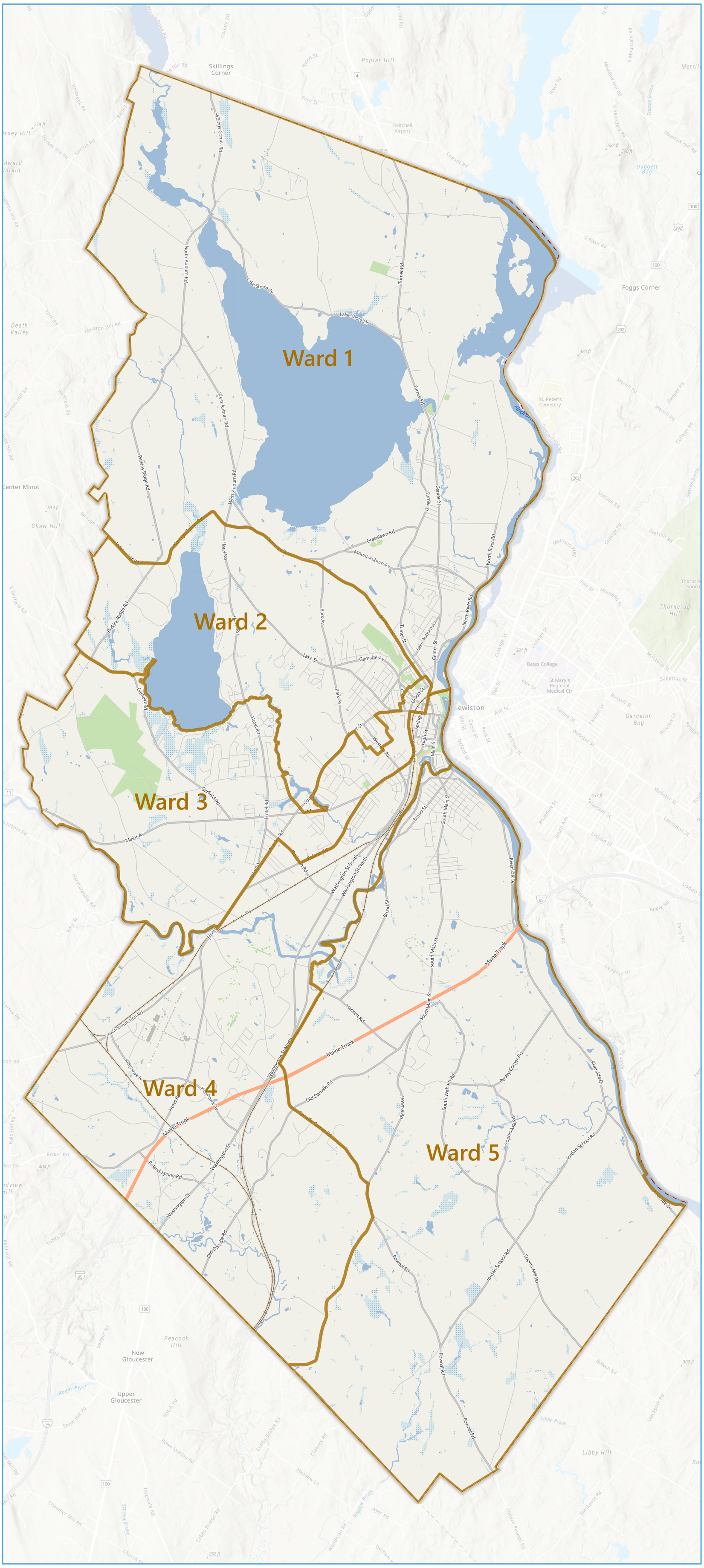
Beginning at the intersection of Parker Street and Turner Street southeasterly and southerly along the centerline of Turner to the intersection of Pleasant Street; then southerly along the centerline of Pleasant Street to the intersection of Court Street; then westerly along the centerline of Court Street to the intersection of Minot Avenue; then southerly and southwesterly along the centerline of Minot Avenue to the intersection of Poland Road; then southwesterly along the centerline of Poland Road to the intersection of Rodman Road; then northwesterly along the centerline of Rodman Road to the intersection of Manley Road; then Southwesterly along the centerline of Manley Road to the intersection of Hotel Road; then southwesterly along the centerline of Hotel Road to the intersection of Block 1006 of Tract 010700; then westerly along Block 1006 of Tract 010700 to the Auburn/Poland municipal boundary; then westerly and northwesterly to the intersection of Garfield Road; then southeasterly along the centerline of Garfield Road to the intersection of Sunrise Lane; then westerly and northwesterly along the centerline Sunrise Lane to the easterly terminus of Sunrise Lane; then northeasterly, southeasterly and southwesterly along the boundary of Block 3009 of Tract 010800; then westerly and southerly along the boundary of Block 3014 of Tract 010800 and Block 2006 of Tract 010800 to the intersection of Kendall Road; then westerly along the centerline of Kendall Road to the Intersection of Stevens Mill Road; then Southerly along the centerline of Stevens Mill Road to the intersection of Minot Avenue; then easterly along the Centerline of Minot Ave to the southeast corner of Block 2010 of Tract 010400; then northwesterly along the boundary of Block 2010 of Tract 010400 to the intersection with Court Street then northeasterly along the centerline of Court Street to the intersection of Russell Avenue; then southeasterly along the centerline of Russell Avenue to the intersection of Goodrich Avenue; Then northeasterly along Goodrich Avenue to the intersection with Hillside Avenue; then southeasterly along the centerline of Hillside Avenue to the intersection of Merrill Street; then Northeasterly along the centerline of Merrill Street to the intersection of Western Avenue; then northwesterly along Western Avenue to the Intersection of Auburn Heights; then northeasterly and northwesterly along the centerline of Auburn Heights to the intersection of Harris Street; then northwesterly along the centerline of Harris Street to the intersection of Court Street; then westerly on Court street to the intersection of James Street; then northerly along the centerline of James Street to the intersection of Grant Street; then easterly along the centerline of Grant Street to the intersection of Goff Street; then northerly along the centerline of Goff Street to the intersection of Pine Street; then easterly along the centerline of Pine Street to the intersection of Willow Street; then northeasterly along the centerline of Willow Street to the intersection of Webster Street; then southeasterly along the centerline of Webster Street to the intersection of Chestnut Street; then northeasterly along the centerline of Chestnut Street to the intersection of Parker Street; then northeasterly along the centerline of Parker Street to the point of beginning.

(d) *Ward 4.* The boundaries of ward 4 shall be as follows:

Beginning at the Androscoggin River at the northeast corner of Block 1000 of Tract 010100 westerly along the northern boundary of Block 1000 of Tract 010100 to the intersection of Block 1001 of 010100; then westerly along the boundary of Block 1001 of Tract 010100 to the intersection of Turner Street; then southerly along Turner Street to the intersection of Pleasant Street; then southerly along the centerline of Pleasant Street to the intersection of Court Street; then westerly along the centerline of Court Street to the intersection of Minot Avenue; then southerly and southwesterly along the centerline of Minot Avenue to the intersection of Poland Road; then southwesterly along the centerline of Poland Road to the intersection of Rodman Road; then northwesterly along the centerline of Rodman Road to the intersection of Manley Road; then Southwesterly along the centerline of Manley road to the intersection of Hotel Road; then southwesterly along the centerline of Hotel Road to the intersection of Block 1008 of Tract 010700; then westerly along Block 1008 of Tract 010700 to the Auburn/Poland municipal boundary; then southwesterly along the Auburn/Poland municipal boundary to the Auburn/New Gloucester municipal boundary; then southeasterly along the Auburn/New Gloucester municipal boundary to Trapp Road; then easterly and northeasterly along the centerline of Trapp Road to the intersection of Pownal Road; then northerly along the centerline of Pownal Road to the intersection of Danville Corner Road; then northwesterly and westerly along the centerline of Danville Corner Road to the intersection of Block 2025 of Tract 010700; then northwesterly along the boundary of Block 2025 of Tract 010700 to the intersection of Hackett Road; then northwesterly along the centerline of Hackett Road to the intersection of the southwest corner of Block 2002 of Tract 010700; then north and northeasterly along the boundary of Block 2002 of Tract 010700 to the intersection of the northwesterly corner of Block 2000 of Tract 010700; then northeasterly along the boundary of Block 2000 of Tract 010700; then northeasterly along the thread of the Little Androscoggin River to its confluence with the Androscoggin River and the Auburn/Lewiston municipal boundary; then northerly along the Androscoggin River and the Auburn/Lewiston municipal boundary to the point of beginning.

(e) *Ward 5.* The boundaries of ward 5 shall be as follows:

Beginning at the confluence of the Androscoggin River and the Little Androscoggin River on the Auburn/Lewiston municipal boundary; then southerly along the Androscoggin River and the Auburn/Lewiston municipal boundary to the intersection of the Auburn/Durham municipal boundary; then southwesterly, northwesterly, and southwesterly along the Auburn/Durham municipal boundary to the Auburn/New Gloucester municipal boundary, then northwesterly along the Auburn/New Gloucester municipal boundary to the intersection of Trapp Road; then easterly and northeasterly along the centerline of Trapp Road to the intersection of Pownal Road; then northerly along the centerline of Pownal Road to the intersection of Danville Corner Road; then northwesterly and northerly along the centerline of Danville Corner Road to the intersection of Block 2025 of Tract 010700; then northwesterly along the boundary of Block 2025 of Tract 010700 to the intersection of Hackett Road; then northwesterly along the centerline of Hackett Road to the intersection of the southwest corner or Block 2002 of Tract 010700; then north and northeasterly along the boundary of Block 2002 of Tract 010700 to the intersection of the northwesterly corner of Block 2000 of Tract 010700; then northeasterly along the boundary of Block 2000 of Tract 010700; then northeasterly along the thread of the Little Androscoggin River to its confluence with the Androscoggin River to the point of beginning.



0 1 2 Miles

auburnmaine.gov

City of Auburn
60 Court St
Auburn, ME 04210

Auburn Wards

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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Ward 1

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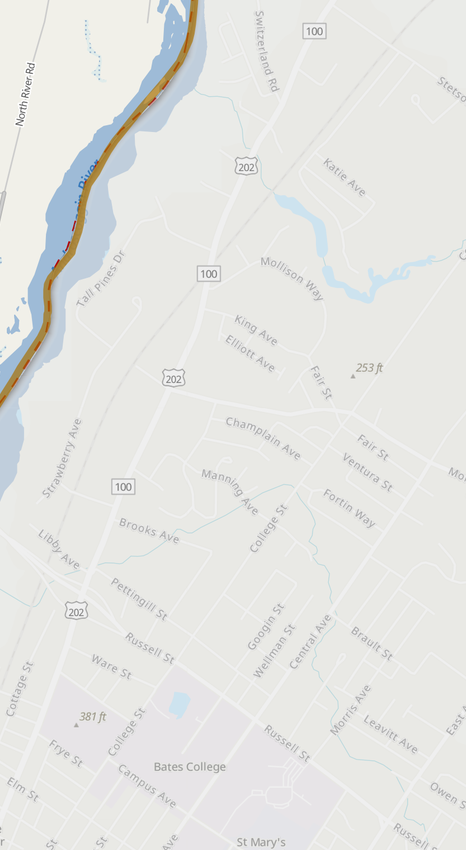
60 Court St
Auburn, ME 04210

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.



Ward Location

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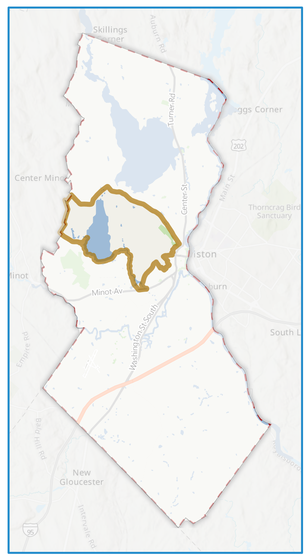
City of Auburn
60 Court St
Auburn, ME 04210

Ward 2



Ward Location

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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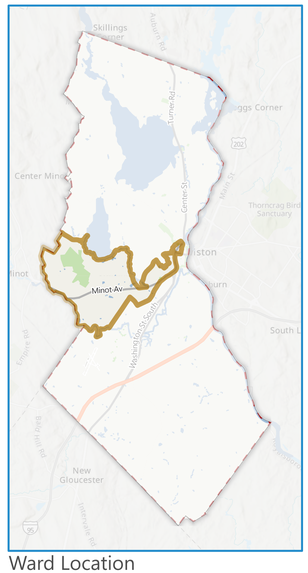
City of Auburn
60 Court St
Auburn, ME 04210

Ward 3



Ward Location

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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City of Auburn
60 Court St
Auburn, ME 04210

Ward 4

Ward Location

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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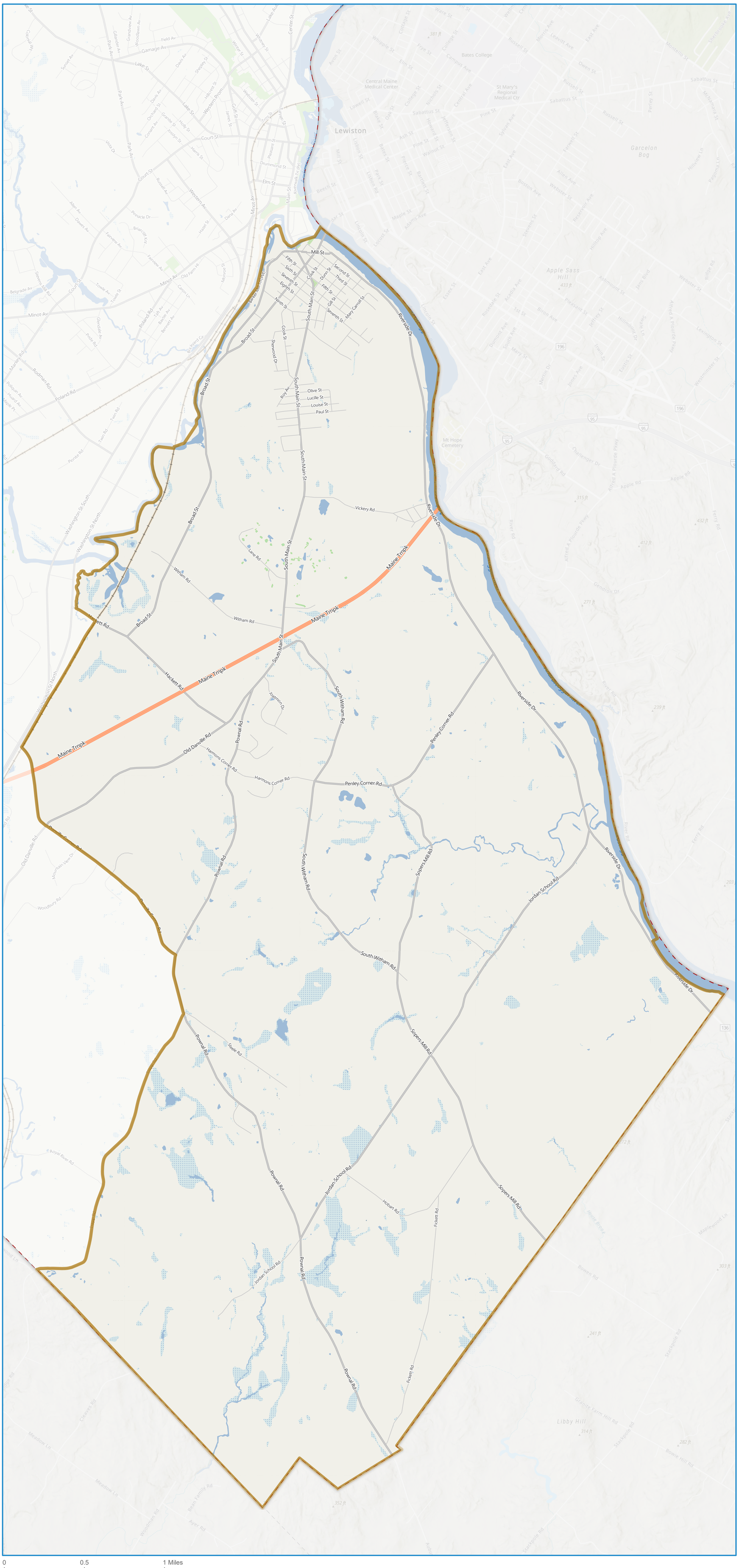
City of Auburn
60 Court St
Auburn, ME 04210

Ward 5



Ward Location

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **May 2022 Financial Report**

DATE: **June 21, 2022**

The following is a discussion regarding the significant variances found in the City's May financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its eleventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

A. Revenues collected through May 31st, including the school department were $89,739,708, or 94.02%, of the budget. The municipal revenues including property taxes were $63,546,319 or 97.54% of the budget which is more than the same period last year by 0.40% or $1,520,802. The accounts listed below are noteworthy.

B. The current year tax revenue is at 97.96% as compared to 97.88% last year. The 30 day notice of liens were sent out in May and tax liens will be filed at the end of June on any properties that have unpaid taxes.

C. Excise tax for the month of May is at 95.58%. This is a $249,657 decrease from FY 21. Our excise revenues for FY22 are 3.98% above projections as of May 31, 2022.

D. State Revenue Sharing for the month of May is 160.06% or $1,804,264 more than last year in May.

Expenditures

City expenditures through May 2022 were $42,205,520 or 89.60%, of the budget. This is 0.33% higher than May of last year.

Noteworthy variances are:

A. The operating departments are in line with this time last year. The accounts that are higher than last year is because they had budget increases.

Investments

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of 0.41%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of May 2022, April 2022, and June 2021

	May 31, 2022	April 30, 2022	Increase (Decrease)	UNAUDITED JUNE 30 2021
ASSETS				
CASH	$ 39,678,299	$ 38,433,438	$ 1,244,861	$ 23,686,573
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,151,530	1,076,170	75,360	1,895,710
TAXES RECEIVABLE-CURRENT	1,063,579	1,462,097	(398,518)	55,238
DELINQUENT TAXES	403,373	400,182	3,191	809,349
TAX LIENS	543,604	562,483	(18,879)	1,091,138
NET DUE TO/FROM OTHER FUNDS	(2,575,034)	(367,777)	(2,207,257)	-
TOTAL ASSETS	**$ 40,265,351**	**$ 41,566,593**	**$ (1,301,242)**	**$ 27,538,008**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (1,810)	$ (282,496)	$ 280,686	$ (985,754)
PAYROLL LIABILITIES	(1,184,805)	(935,422)	(249,383)	(858,084)
ACCRUED PAYROLL	(91)	(91)	(0)	(3,963,795)
STATE FEES PAYABLE	(111,442)	(51,662)	(59,780)	-
ESCROWED AMOUNTS	(40,415)	(141,210)	100,795	(27,653)
DEFERRED REVENUE	(1,851,210)	(2,264,851)	413,641	(1,916,073)
DUE TO OTHER FUNDS	-	-	-	(3,460,216)
TOTAL LIABILITIES	**$ (3,189,774)**	**$ (3,675,732)**	**$ 485,958**	**$ (11,211,574)**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (34,076,761)	$ (35,093,225)	$ 1,016,464	$ (13,291,007)
FUND BALANCE - RESTRICTED	(2,309,553)	(1,364,114)		(2,273,457)
FUND BALANCE - NON SPENDABLE	(689,263)	(1,433,522)	744,259.00	(761,970)
TOTAL FUND BALANCE	**$ (37,075,577)**	**$ (37,890,861)**	**$ 815,284**	**$ (16,326,434)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (40,265,351)**	**$ (41,566,593)**	**$ 1,301,242**	**$ (27,538,008)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2022 VS May 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 50,042,450	$ 49,019,518	97.96%	$ 49,655,498	$ 48,604,180	97.88%	$ 415,338
PRIOR YEAR TAX REVENUE	$ -	$ 541,288		$ -	$ 869,987		$ (328,699)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,650,000	$ 1,290,048	78.18%	$ 1,420,000	$ 1,405,540	98.98%	$ (115,492)
EXCISE	$ 4,425,000	$ 4,229,469	95.58%	$ 4,112,861	$ 4,479,126	108.91%	$ (249,657)
PENALTIES & INTEREST	$ 120,000	$ 105,007	87.51%	$ 150,000	$ 154,646	103.10%	$ (49,639)
TOTAL TAXES	$ 56,237,450	$ 55,185,330	98.13%	$ 55,338,359	$ 55,513,479	100.32%	$ (328,149)
LICENSES AND PERMITS							
BUSINESS	$ 166,000	$ 274,608	165.43%	$ 166,000	$ 238,687	143.79%	$ 35,921
NON-BUSINESS	$ 300,200	$ 422,644	140.79%	$ 392,400	$ 400,823	102.15%	$ 21,821
TOTAL LICENSES	$ 466,200	$ 697,253	149.56%	$ 558,400	$ 639,510	114.53%	$ 57,743
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 390,000	$ 421,592	108.10%	$ 400,000	$ 390,976	97.74%	$ 30,616
STATE REVENUE SHARING	$ 3,150,000	$ 5,041,949	160.06%	$ 2,708,312	$ 3,237,685	119.55%	$ 1,804,264
WELFARE REIMBURSEMENT	$ 90,656	$ 65,038	71.74%	$ 90,656	$ 46,420	51.20%	$ 18,618
OTHER STATE AID	$ 32,000	$ 15,763	49.26%	$ 32,000	$ 13,573	42.42%	$ 2,190
CITY OF LEWISTON	$ 228,384	$ -	0.00%	$ 228,384	$ 285,250	124.90%	$ (285,250)
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 3,891,040	$ 5,544,342	142.49%	$ 3,459,352	$ 3,973,904	114.87%	$ 1,570,438
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 184,400	$ 165,218	89.60%	$ 198,440	$ 135,206	68.13%	$ 30,012
PUBLIC SAFETY	$ 176,600	$ 155,950	88.31%	$ 181,600	$ 155,049	85.38%	$ 901
EMS TRANSPORT	$ 1,250,000	$ 1,347,897	107.83%	$ 1,200,000	$ 1,037,823	86.49%	$ 310,074
TOTAL CHARGE FOR SERVICES	$ 1,611,000	$ 1,669,066	103.60%	$ 1,580,040	$ 1,328,078	84.05%	$ 340,988
FINES							
PARKING TICKETS & MISC FINES	$ 41,500	$ 42,136	101.53%	$ 55,000	$ 25,747	46.81%	$ 16,389
MISCELLANEOUS							
INVESTMENT INCOME	$ 40,000	$ 42,622	106.56%	$ 80,000	$ 47,234	59.04%	$ (4,612)
RENTS	$ 125,000	$ 17,976	14.38%	$ 35,000	$ 36,405	104.01%	$ (18,429)
UNCLASSIFIED	$ 20,000	$ 31,830	159.15%	$ 10,000	$ 125,574	1255.74%	$ (93,744)
COMMERCIAL SOLID WASTE FEES	$ -	$ 50,315		$ -	$ 46,773		$ 3,542
SALE OF PROPERTY	$ 120,000	$ 35,235	29.36%	$ 25,000	$ 78,514	314.06%	$ (43,279)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 234,000	$ 212,768	90.93%	$ 230,000	$ 194,628	84.62%	$ 18,140
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,117,818	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 473,925	$ -	0.00%	$ 578,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 252,799	$ -	0.00%	$ 214,430	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 17,447	87.23%	$ 20,000	$ 15,671	78.36%	$ 1,776
CITY FUND BALANCE CONTRIBUTION	$ 475,000	$ -	0.00%	$ 527,500	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 2,900,724	$ 408,192	14.07%	$ 2,838,673	$ 544,799	19.19%	$ (136,607)
TOTAL GENERAL FUND REVENUES	**$ 65,147,914**	**$ 63,546,319**	97.54%	**$ 63,829,824**	**$ 62,025,517**	97.17%	**$ 1,520,802**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 28,900,061	$ 25,425,111	87.98%	$ 26,217,074	$ 24,306,518	92.71%	$ 1,118,593
EDUCATION	$ 518,821	$ 768,278	148.08%	$ 717,415	$ 418,775	58.37%	$ 349,503
SCHOOL FUND BALANCE CONTRIBUTION	$ 879,404	$ -	0.00%	$ 970,862	$ -	0.00%	$ -
TOTAL SCHOOL	$ 30,298,286	$ 26,193,389	86.45%	$ 27,905,351	$ 24,725,293	88.60%	$ 1,468,096
GRAND TOTAL REVENUES	**$ 95,446,200**	**$ 89,739,708**	**94.02%**	**$ 91,735,175**	**$ 86,750,810**	**94.57%**	**$ 2,988,898**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2022 VS May 31, 2021

DEPARTMENT	FY 2022 BUDGET	EXP THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	EXP THRU MAY 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 104,850	$ 104,299	99.47%	$ 99,000	$ 65,964	66.63%	$ 38,335
CITY MANAGER	$ 447,401	$ 470,182	105.09%	$ 776,095	$ 628,715	81.01%	$ (158,533)
COMMUNICATIONS & TECHNOLOGY	$ 911,637	$ 852,920	93.56%	$ 609,260	$ 616,518	101.19%	$ 236,402
CITY CLERK	$ 237,474	$ 213,075	89.73%	$ 216,946	$ 198,221	91.37%	$ 14,854
FINANCIAL SERVICES	$ 810,303	$ 692,777	85.50%	$ 751,849	$ 664,034	88.32%	$ 28,743
HUMAN RESOURCES	$ 220,250	$ 189,056	85.84%	$ 157,057	$ 135,730	86.42%	$ 53,326
TOTAL ADMINISTRATION	$ 2,731,915	$ 2,522,309	92.33%	$ 2,610,207	$ 2,309,182	88.47%	$ 213,127
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 900,583	$ 743,226	82.53%	$ 1,339,047	$ 899,876	67.20%	$ (156,650)
ECONOMIC DEVELOPMENT	$ 108,469	$ 107,662	99.26%				$ 107,662
BUSINESS & COMMUNITY DEVELOPMENT	$ 512,260	$ 252,083	49.21%				$ 252,083
HEALTH & SOCIAL SERVICES	$ 119,875	$ 88,131	73.52%	$ 199,282	$ 124,041	62.24%	$ (35,910)
RECREATION & SPORTS TOURISM	$ 584,056	$ 507,000	86.81%	$ 520,474	$ 527,226	101.30%	$ (20,226)
PUBLIC LIBRARY	$ 1,052,163	$ 964,483	91.67%	$ 1,031,533	$ 945,572	91.67%	$ 18,911
TOTAL COMMUNITY SERVICES	$ 3,277,406	$ 2,662,585	81.24%	$ 3,090,336	$ 2,496,715	80.79%	$ 165,870
FISCAL SERVICES							
DEBT SERVICE	$ 7,734,169	$ 7,652,855	98.95%	$ 7,577,735	$ 7,615,817	100.50%	$ 37,038
FACILITIES	$ 677,872	$ 545,470	80.47%	$ 667,494	$ 547,886	82.08%	$ (2,416)
WORKERS COMPENSATION	$ 642,400	$ 642,400	100.00%	$ 641,910	$ 641,910	100.00%	$ 490
WAGES & BENEFITS	$ 7,334,932	$ 5,888,588	80.28%	$ 6,840,635	$ 5,794,032	84.70%	$ 94,556
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ (5,000)	-1.08%	$ 5,000
TOTAL FISCAL SERVICES	$ 16,850,603	$ 14,729,313	87.41%	$ 16,189,004	$ 14,594,645	90.15%	$ 134,668
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,446,588	$ 5,075,894	93.19%	$ 5,302,131	$ 4,945,374	93.27%	$ 130,520
POLICE DEPARTMENT	$ 4,343,924	$ 4,039,150	92.98%	$ 4,332,339	$ 3,876,054	89.47%	$ 163,096
TOTAL PUBLIC SAFETY	$ 9,790,512	$ 9,115,044	93.10%	$ 9,634,470	$ 8,821,428	91.56%	$ 293,616
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,077,370	$ 4,399,305	86.65%	$ 4,979,329	$ 4,079,698	81.93%	$ 319,607
SOLID WASTE DISPOSAL*	$ 1,089,950	$ 821,532	75.37%	$ 1,051,318	$ 901,439	85.74%	$ (79,907)
WATER AND SEWER	$ 792,716	$ 781,203	98.55%	$ 792,716	$ 781,203	98.55%	$ -
TOTAL PUBLIC WORKS	$ 6,960,036	$ 6,002,040	86.24%	$ 6,823,363	$ 5,762,340	84.45%	$ 239,700
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 177,000	$ 172,710	97.58%	$ 170,000	$ 167,110	98.30%	$ 5,600
E911 COMMUNICATION CENTER	$ 1,161,479	$ 1,161,630	100.01%	$ 1,134,304	$ 1,134,784	100.04%	$ 26,846
LATC-PUBLIC TRANSIT	$ 225,000	$ 118,715	52.76%	$ 331,138	$ -	0.00%	$ 118,715
ARTS & CULTURE AUBURN	$ 10,000	$ 10,000		$ 10,000	$ 10,000		
TAX SHARING	$ 260,000	$ 232,729	89.51%	$ 260,000	$ 230,726	88.74%	$ 2,003
TOTAL INTERGOVERNMENTAL	$ 1,833,479	$ 1,695,784	92.49%	$ 1,905,442	$ 1,542,620	80.96%	$ 153,164
COUNTY TAX	$ 2,611,080	$ 2,611,080	100.00%	$ 2,629,938	$ 2,629,938	100.00%	$ (18,858)
TIF (10108058-580000)	$ 3,049,803	$ 2,867,365	94.02%	$ 3,049,803	$ 2,845,623	93.31%	$ 21,742
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 47,104,834**	**$ 42,205,520**	**89.60%**	**$ 45,932,563**	**$ 41,002,491**	**89.27%**	**$ 1,203,029**
EDUCATION DEPARTMENT	$ 48,341,366	$ 28,802,070	59.58%	$ 45,802,612	$ 35,416,288	77.32%	$ (6,614,218)
TOTAL GENERAL FUND EXPENDITURES	**$ 95,446,200**	**$ 71,007,590**	**74.40%**	**$ 91,735,175**	**$ 76,418,779**	**83.30%**	**$ (5,411,189)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF May 31, 2022

INVESTMENT		FUND	BALANCE May 31, 2022	BALANCE April 30, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 6,344,838.15	$ 9,744,271.76	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,051,084.98	$ 1,052,172.23	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 9,487,185.88	$ 18,430,285.38	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,508.32	$ 52,562.58	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 339,500.87	$ 339,852.04	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 226,686.84	$ 226,921.29	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 62,625.14	$ 62,689.90	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 142,357.48	$ 168,140.65	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,363.86	$ 15,379.73	**0.25%**
NOMURA		ELHS Bond Proceeds Fall 2021	$ 26,981,899.00	$ 26,981,899.00	**0.15%**
NOMURA 2		ELHS Bond Proceeds Spring 202	$ 55,430,000.00	$ -	**2.075%**
GRAND TOTAL			**$ 100,134,050.52**	**$ 57,074,174.56**	**0.41%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2021 - June 30, 2022
Report as of May 31, 2022

	Beginning Balance 5/1/2022	May 2022 New Charges	May 2022 Payments	May 2022 Refunds	May 2022 Adjustments	Write-Offs	Ending Balance 5/31/2022
Bluecross	**$ 9,405.27**	$ 4,906.00	$ (3,806.40)		$ (4,701.20)		**$ 5,803.67**
Intercept	**$ 150.00**	$ 100.00	$ (150.00)				**$ 100.00**
Medicare	**$ 120,086.14**	$ 158,795.40	$ (57,804.88)		$ (130,454.06)		**$ 90,622.60**
Medicaid	**$ 54,119.15**	$ 56,203.80	$ (39,209.82)		$ (18,911.94)		**$ 52,201.19**
Other/Commercial	**$ 72,689.17**	$ 31,486.40	$ (13,063.90)		$ (8,678.86)		**$ 82,432.81**
Patient	**$ 113,742.40**	$ 6,318.60	$ (11,029.98)	$ 50.00	$ 14,716.47	$ (16,423.18)	**$ 107,374.31**
Worker's Comp	**$ -**	$ 2,855.60	$ (1,717.00)		$ (1,138.60)		**$ -**
TOTAL	**$ 370,192.13**	**$ 260,665.80**	**$ (126,781.98)**	**$ 50.00**	**$ (149,168.19)**	**$ (16,423.18)**	**$ 338,534.58**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2021 - June 30, 2022
Report as of May 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Totals	% of Total
Bluecross	$ 6,623.27	$ 9,833.80	$ 13,473.60	$ 5,116.80	$ 12,429.20	$ 13,425.20	$ 5,044.60	$ 8,815.60	$ 18,744.80	$ 9,433.40	$ 4,906.00	$ 107,846.27	3.48%
Intercept			$ 400.00	$ 400.00	$ 100.00	$ 100.00	$ -		$ 150.00	$ 150.00	$ 100.00	$ 1,400.00	0.05%
Medicare	$ 194,354.65	$ 158,483.00	$ 204,199.40	$ 161,026.60	$ 208,080.60	$ 152,210.38	$ 140,776.20	$ 132,523.40	$ 186,922.40	$ 131,542.80	$ 158,795.40	$ 1,828,914.83	59.02%
Medicaid	$ 68,121.50	$ 50,785.00	$ 90,618.80	$ 59,852.00	$ 67,343.00	$ 44,175.40	$ 54,005.60	$ 72,265.40	$ 58,278.40	$ 43,346.00	$ 56,203.80	$ 664,994.90	21.46%
Other/Commercial	$ 25,704.69	$ 27,604.40	$ 44,861.20	$ 40,310.40	$ 47,752.60	$ 33,461.40	$ 16,369.00	$ 20,858.60	$ 29,270.60	$ 25,054.20	$ 31,486.40	$ 342,733.49	11.06%
Patient	$ 20,928.65	$ 18,060.40	$ 11,284.20	$ 12,239.40	$ 14,619.20	$ 8,974.40	$ 11,443.60	$ 10,717.40	$ 15,308.20	$ 10,330.60	$ 6,318.60	$ 140,224.65	4.53%
Worker's Comp	$ 915.20		$ 2,475.00	$ 908.00			$ 2,509.80		$ 1,945.80	$ 837.80	$ 2,855.60	$ 12,447.20	0.40%
TOTAL	$ 316,647.96	$ 264,766.60	$ 367,312.20	$ 279,853.20	$ 350,324.60	$ 252,346.78	$ 230,148.80	$ 245,180.40	$ 310,620.20	$ 220,694.80	$ 260,665.80	$ 3,098,561.34	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2021 - June 30, 2022
Report as of May 31, 2022

	July 2021	August 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Totals	% of Total
Bluecross	10	10	13	5	12	13	5	9	19	11	5	112	3.19%
Intercept	0		4	4	1	1	0	0	3	1	1	15	0.43%
Medicare	244	172	227	174	226	186	168	156	204	150	169	2076	59.20%
Medicaid	82	54	100	64	80	48	60	81	65	47	60	741	21.13%
Other/Commercial	34	32	48	44	51	35	20	22	39	25	32	382	10.89%
Patient	45	19	12	13	15	10	11	11	16	9	7	168	4.79%
Worker's Comp	1	0	2	1	0	0	3	0	2	1	3	13	0.37%
TOTAL	416	287	406	305	385	293	267	279	348	244	277	3507	100.00%

EMS BILLING
AGING REPORT
July 1, 2021 to June 30, 2022
Report as of May 31, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 2,514.65	43%	$ 79.01	1%	$ -	0%	$ -	0%	$ 3,210.01	55%	$ 5,803.67	1.71%
Intercept	$ 100.00		$ -		$ -		$ -		$ -		$ 100.00	0.03%
Medicare	$ 57,875.00	64%	$ 15,393.80	17%	$ 4,750.60	5%	$ 4,924.49	5%	$ 7,678.71	8%	$ 90,622.60	26.77%
Medicaid	$ 29,092.96	56%	$ 8,407.79	16%	$ 6,433.24	12%	$ 4,022.64	8%	$ 4,244.56	8%	$ 52,201.19	15.42%
Other/Commercial	$ 39,054.64	47%	$ 12,091.18	15%	$ 5,332.14	6%	$ 2,423.01	3%	$ 23,531.84	29%	$ 82,432.81	24.35%
Patient	$ 22,292.59	21%	$ 23,320.93	22%	$ 24,789.87	23%	$ 17,790.99	17%	$ 19,179.93	18%	$ 107,374.31	31.72%
Worker's Comp											$ -	0.00%
TOTAL	$ 150,929.84		$ 59,292.71		$ 41,305.85		$ 29,161.13		$ 57,845.05		$ 338,534.58	
	45%		18%		12%		9%		17%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of May 31, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/21	$ 599,205.19	$ 6,536.96	$ 34,366.35	$ 1,221.68	$ 5,131.38	$ -	$ 4,796.03	$ (566,303.71)	$ 293.40	$ 2,808.57	$ 131,750.21	$ (112,745.48)	$ 6,975.14	$ 12,596.25	$ 4,318.98	$ 2,820.93
Revenues FY22	$ 76,608.48	$ 388.00	$ 525.90	$ 200.00	$ 2,917.39	$ 483.00				$ 15,676.00	$ (342,758.00)	$ 109,031.40	$ 3,903.05	$ 8,002.50	$ 2,416.38	$ 14,850.94
Expenditures FY22	$ 158,761.00	$ 39.98			$ 3,961.62	$ 1,013.00			$ 124.21	$ 15,676.00	$ 309,530.00	$ 154,644.87	$ 5,927.45	$ -	$ 2,379.07	$ 12,822.62
Fund Balance 05/31/2022	**$ 517,052.67**	**$ 6,884.98**	**$ 34,892.25**	**$ 1,421.68**	**$ 4,087.15**	**$ (530.00)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ (520,537.79)**	**$ (158,358.95)**	**$ 4,950.74**	**$ 20,598.75**	**$ 4,356.29**	**$ 4,849.25**

	2016 Pedestrian Safety	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/21	$ -	$ (8,505.29)	$ 1,702,961.69	$ 30,570.32	$ 12,839.34	$ (40.00)	$ 2,729.15	$ 20,536.23	$ 26,247.04	$ -	$ 93,024.44	$ -	$ 189.35	$ (9,522.60)	$ 28,489.54	$ 225,094.82
Revenues FY22	$ 3,245.86	$ 300.00	$ 256,222.23	$ 1,474.19	$ 115,066.00		$ 8,358.37			$ 9,886.13	$ 37,486.51			$ 8,000.00	$ 36.51	$ 182,057.88
Expenditures FY22	$ 3,376.54		$ 589,046.09	$ 1,144.80	$ 84,849.17	$ (2,600.00)	$ 2,806.28		$ 2,846.59	$ 9,886.13	$ 34,366.20	$ 1,695.00		$ 7,996.88	$ 7,173.19	$ 237,246.04
Fund Balance 05/31/2022	**$ (130.68)**	**$ (8,205.29)**	**$ 1,370,137.83**	**$ 30,899.71**	**$ 43,056.17**	**$ 2,560.00**	**$ 8,281.24**	**$ 20,536.23**	**$ 23,400.45**	**$ -**	**$ 96,144.75**	**$ (1,695.00)**	**$ 189.35**	**$ (9,519.48)**	**$ 21,352.86**	**$ 169,906.66**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2405 Elmina B Sewall Grant	2500 Parks & Recreation
Fund Balance 7/1/21	$ 6,215.80	$ -	$ -	$ (1,610.17)	$ 209.00	$ 201,371.71	$ (3,500.00)	$ 36,555.99	$ (11,526.70)	$ (1,484,407.18)	$ 6,772,899.50	$ -	$ -	$ 252,323.69
Revenues FY22		$ 7,064.59						$ (3,111.14)	$ 47,000.00		$ 5,886.34		$ 10,000.00	$ 341,783.28
Expenditures FY22	$ 1,304.77	$ 6,757.43	$ -	$ (1,610.17)		$ 23,325.00		$ 17,361.95	$ 21,646.39		$ 662,206.47	$ 7,326.00		$ 407,268.85
Fund Balance 05/31/2022	**$ 4,911.03**	**$ 307.16**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 16,082.90**	**$ 13,826.91**	**$ (1,484,407.18)**	**$ 6,116,579.37**	**$ (7,326.00)**	**$ 10,000.00**	**$ 186,838.12**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/21	**$ (41,023.43)**	**$ 348,613.20**	**$ (269,889.73)**	**$ (454,099.79)**	**$ 281,097.17**	**$ (752,490.87)**	**$ (0.02)**	**$ (2,663.69)**	$ 1,120.90	$ 24,998.06	$ 41,968.63	$ 97,738.81	$ 11,128.45	$ (83,459.35)	$ 7,229,955.89
Revenues FY22	$ 199,956.89	$ 457,660.81	$ 853,881.02	$ 164,715.30	$ 329,051.86	$ 443,099.40	$ 30,524.85	$ 32,643.98	$ 59,152.21	$ 50,486.49	$ 84,184.64	$ 118,621.92	$ 36,906.23	$ 6,479.04	$ 3,790,366.43
Expenditures FY22	$ 79,982.76		$ 342,494.56	$ 230,043.00	$ 154,654.38	$ 591,073.78	$ 30,524.86	$ 32,643.98	$ 59,152.20	$ 25,243.24	$ 42,092.32	$ 183,246.92	$ 34,120.33	$ 25,223.75	$ 4,620,795.50
Fund Balance 05/31/2022	**$ 78,950.70**	**$ 806,274.01**	**$ 241,496.73**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	**$ 1,120.91**	**$ 50,241.31**	**$ 84,060.95**	**$ 33,113.81**	**$ 13,914.35**	**$ (102,204.06)**	$ 6,399,526.82

City of Auburn, Maine
"Maine's City of Opportunity"
Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for May 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of May 31, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of May 31, 2022.

Current Assets:
As of the end of May 2022 the total current assets of Ingersoll Turf Facility were $226,921. This consisted of cash and cash equivalents an increase from April of $46.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of May 31, 2022, were $89,514.

Liabilities:
Ingersoll had no accounts payable as of May 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through May 2022 are $172,020. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through May 2022 were $136,998. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2022, Ingersoll has an operating gain of $35,022 compared to $41,923 in March a decrease in the gain of $6.901.

As of May 31, 2022, Ingersoll has an increase in net assets of $35,022.

The budget to actual reports for revenue and expenditures, show that the revenue for FY22 compared to FY 21.

Statement of Net Assets
Ingersoll Turf Facility
May 31, 2022
Business-type Activities - Enterprise Fund

		May 31, 2022	April 30, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 226,921	$ 226,875	$ 46
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	226,921	226,875	46
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(721,022)	(721,022)	-
	Total noncurrent assets	89,514	89,514	-
	Total assets	316,435	316,389	46
LIABILITIES				
Accounts payable		$ -	$ 87	(87)
Interfund payable		$ 14,575	$ 7,541	7,034
Total liabilities		14,575	7,628	6,947
NET ASSETS				
Invested in capital assets		$ 89,514	$ 89,514	$ -
Unrestricted		$ 212,346	$ 219,247	$ (6,901)
Total net assets		**$ 301,860**	**$ 308,761**	**$ (6,901)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 172,020
Operating expenses:	
Personnel	83,012
Supplies	20,890
Utilities	21,948
Repairs and maintenance	5,592
Rent	-
Depreciation	-
Capital expenses	5,556
Other expenses	-
Total operating expenses	136,998
Operating gain (loss)	35,022
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	35,022
Transfers out	-
Change in net assets	35,022
Total net assets, July 1	266,838
Total net assets, May 31, 2022	**$ 301,860**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through May 31, 2022 compared to May 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	$ 25,000	$ 11,275	45.10%	$ 25,000	$ 11,525	46.10%
Batting Cages	$ 16,000	$ 17,336	108.35%	$ 13,000	$ 18,310	140.85%
Programs	$ 94,000	$ 49,090	52.22%	$ 90,000	$ 16,587	18.43%
Rental Income	$ 138,000	$ 93,780	67.96%	$ 102,000	$ 79,773	78.21%
TOTAL CHARGE FOR SERVICES	$ 273,000	$ 171,481	62.81%	$ 230,000	$ 126,195	54.87%
INTEREST ON INVESTMENTS	$ -	$ 539		$ -	$ 1,157	
GRAND TOTAL REVENUES	**$ 273,000**	**$ 172,020**	**63.01%**	**$ 230,000**	**$ 127,352**	**55.37%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through May 31, 2022 compared to May 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU MAY 2021	% OF BUDGET	Difference
Salaries & Benefits	$ 133,041	$ 83,012	62.40%	$ 187,546	$ 128,564	68.55%	$ (45,552)
Purchased Services	$ 15,750	$ 5,592	35.50%	$ 14,450	$ 6,784	46.95%	$ (1,192)
Programs	$ 16,300	$ -	0.00%	$ 18,500	$ -	0.00%	$ -
Supplies	$ 2,500	$ 20,890	835.60%	$ 4,000	$ 5,468	136.70%	$ 15,422
Utilities	$ 24,150	$ 21,948	90.88%	$ 25,650	$ 19,329	75.36%	$ 2,619
Insurance Premiums	$ -	$ -		$ -	.		
Capital Outlay	$ -	$ 5,556		$ -	$ -		$ 5,556
	$ 191,741	$ 136,998	71.45%	$ 250,146	$ 160,145	64.02%	$ (23,147)
GRAND TOTAL EXPENDITURES	**$ 191,741**	**$ 136,998**	**71.45%**	**$ 250,146**	**$ 160,145**	**64.02%**	**$ (23,147)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for May 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of May 31, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities, and net assets and shows a comparison to the previous month, in this case, April 30, 2022.

Current Assets:
As of the end of May 2022 the total current assets of Norway Savings Bank Arena were ($1,123,177). These consisted of cash and cash equivalents of $279,951, accounts receivable of $60,72, and an interfund payable of $1,463,300.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of May 31, 2022 was $195,258.

Liabilities:
Norway Arena had no accounts payable as of May 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through May 2022 are $928,096. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals.

The operating expenses for Norway Arena through May 2022 were $620,165. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of May 2022, there was an operating gain of $307,931.

As of May 31, 2022, Norway Arena has an increase in net assets of $307,931.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $185,019 more than in FY21 and expenditures in FY22 are $9,278 more than last year in May.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
May 31, 2022
Business-type Activities - Enterprise Fund

		May 31 2022	April 30 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 279,951	$ 279,951	$ -
Interfund receivables		$ (1,463,300)	$ (1,507,227)	$ 43,927
Prepaid Rent				$ -
Accounts receivable		60,172	108,228	$ (48,056)
	Total current assets	(1,123,177)	(1,119,048)	(4,129)
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(377,964)	(377,964)	-
	Total noncurrent assets	195,258	195,258	-
	Total assets	(927,919)	(923,790)	(4,129)
LIABILITIES				
Accounts payable		$ -	$ 3,695	$ (3,695)
Net OPEB liability		$ 43,810	$ 43,810	$ -
Net pension liability		42,634	42,634	-
Total liabilities		86,444	90,139	(3,695)
NET ASSETS				
Invested in capital assets		$ 195,258	$ 195,258	$ -
Unrestricted		$ (1,209,621)	$ (1,209,187)	$ (434)
Total net assets		**$ (1,014,363)**	**$ (1,013,929)**	**$ (434)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 928,096
Operating expenses:	
Personnel	292,480
Supplies	60,949
Utilities	195,554
Repairs and maintenance	37,994
Insurance Premium	30,940
Depreciation	
Capital expenses	2,248
Other expenses	
Total operating expenses	620,165
Operating gain (loss)	307,931
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	307,931
Transfers out	-
Change in net assets	307,931
Total net assets, July 1	(1,322,294)
Total net assets, May 31, 2022	**$ (1,014,363)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through May 31, 2022 compared to May 31, 2021

REVENUE SOURCE	FY 2022 BUDGET	ACTUAL REVENUES THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500	$ 12,925	78.33%	$ 16,500		0.00%	$ 12,925
Skate Rentals	$ 6,000	$ 425	7.08%	$ 7,500		0.00%	$ 425
Pepsi Vending Machines	$ 2,000	$ 1,213	60.65%	$ 3,000		0.00%	$ 1,213
Games Vending Machines	$ 3,000	$ 1,093	36.43%	$ 3,000		0.00%	$ 1,093
Vending Food	$ 2,000	$ 354	17.70%	$ 3,000	$ 85	2.83%	$ 269
Sponsorships	$ 185,000	$ 183,114	98.98%	$ 230,000	$ 156,983	68.25%	$ 26,131
Pro Shop	$ 7,000	$ 5,207	74.39%	$ 7,000	$ 1,459	20.84%	$ 3,748
Programs	$ 20,000	$ 2,370	11.85%	$ 20,000	$ -	0.00%	$ 2,370
Rental Income	$ 683,500	$ 639,886	93.62%	$ 727,850	$ 542,950	74.60%	$ 96,936
Camps/Clinics	$ 50,000	$ 31,720	63.44%	$ 50,000	$ 41,600	83.20%	$ (9,880)
Tournaments	$ 50,000	$ 49,789	99.58%	$ 55,000		0.00%	$ 49,789
TOTAL CHARGE FOR SERVICES	$ 1,025,000	$ 928,096	90.55%	$ 1,122,850	$ 743,077	66.18%	$ 185,019

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through May 31, 2022 compared to May 31, 2021

DESCRIPTION	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU MAY 2022	% OF BUDGET	FY 2021 BUDGET	ACTUAL EXPENDITURES THRU MAY 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 339,437	$ 292,480	86.17%	$ 328,913	$ 250,197	76.07%	$ 42,283
Purchased Services	$ 123,928	$ 68,934	55.62%	$ 120,000	$ 99,266	82.72%	$ (30,332)
Supplies	$ 79,000	$ 60,949	77.15%	$ 83,000	$ 52,121	62.80%	$ 8,828
Utilities	$ 250,350	$ 195,554	78.11%	$ 244,650	$ 209,303	85.55%	$ (13,749)
Capital Outlay	$ 42,500	$ 2,248	5.29%	$ 50,000	$ -	0.00%	$ 2,248
Rent	$ -	$ -		$ -	$ -		$ -
	$ 835,215	$ 620,165	74.25%	$ 826,563	$ 610,887	73.91%	$ 9,278
GRAND TOTAL EXPENDITURES	**$ 835,215**	**$ 620,165**	**74.25%**	**$ 826,563**	**$ 610,887**	**73.91%**	**$ 9,278**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022

Subject: Executive Session

Information: Personnel matter (City Manager Review), pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 27, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City Council Workshop & Meeting
Agenda
Monday, July 18, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Public Safety Building – Brian Wood
- **B.** Proposal to move City Council meetings from Monday to Tuesday nights – Phil Crowell

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Whiting

Pledge of Allegiance

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

1. Order 96-07182022*
Casting a vote to appoint City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's Executive Committee for a three-year term.

2. Order 97-07182022*
Appointing City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's 2022-2024 Legislative Policy Committee.

3. Order 98-07182022*
Accepting the transfer of the Smith & Wesson M&P 9mm to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-654).

4. Order 99-07182022*
Casting votes for Larry Pelletier and Leroy Walker to represent County Commission District 6 on the Androscoggin County Budget Committee.

5. Order 100-07182022*
Casting votes for Phil Crowell and Gordon Bell to represent County Commission District 5 on the Androscoggin County Budget Committee.

II. Minutes

- June 27, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Auburn Police Department Swearing in Ceremony
  - Sergeant Steven Gosselin, promoted to Lieutenant
  - Sergeant Jason Moore, promoted to Lieutenant
  - Sergeant Eric Audette, promoted to Lieutenant
- City of Auburn Certified Member of the AARP Network of Age-Friendly States & Communities
- Communication from Petitioner's Committee for the repeal of Ordinance 11-03212022
- Presentation – Assessing Valuation Adjustments/Declared Ratio and 2022 Mil Rate (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 17-06272022
Re-adopting the ward maps and descriptions that were adopted on 3/17/2014. Second reading.

2. Order 83-06062022
Allocating $300,000.00 of ARPA Funding to create a two-year pilot program called "Project Support You – Auburn".

3. Ordinance 16-06062022
Approving the zoning amendment for 278 Poland Road. First reading (a public hearing was held on 6/6/2022 and the item was postponed to July 18, 2022).

4. Order 93-062762022
Directing the City Manager to move forward with the bid process for the upgrades and/or replacements of HVAC systems in our city-owned facilities that have been identified as the four priority initiatives ($1,600,000.00 to be funded either with ARPA funds or bond to be determined).

VI. New Business

1. Order 101-07182022
Adopting the CDBG/HOME Program Year 2022 Annual Action Plan. Public hearing.

2. Order 102-07182022

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

3. Order 103-07182022
Approving the liquor license for The Cheesy Skillet. Public hearing.

4. Order 104-07182022
Authorizing the City Manager to execute a purchase and sale agreement for the Lake Auburn Community Center.

5. Ordinance 18-07182022
Extending the moratorium on public safety, detention, and correctional facilities. Public hearing and first reading.

6. Ordinance 19-07182022
Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Public hearing and first reading.

7. Order 105-07182022
Authorizing the Mayor to sign and submit Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the 2022 Edward Byrne Justice Assistance Grant application.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Session - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022

Author: Brian Wood, Assistant City Manager

Subject: Public Safety Facilities Presentation

Information:

The City of Auburn temporarily relocated the Auburn Police Department to City Hall in 2011 after extensive mold and flooding deemed the police station unusable. This relocation of the Police Department in addition to a needs and safety assessment of all three Auburn Fire Department location has resulted in a comprehensive facilities review that started in 2017. This review led to a determination that current facilities were inadequate to meet the modern safety standards and functional needs of the public safety deparmtents. Since 2019 staff has worked with consultants and subject matter experts to conduct assessments, land review and preliminary designs to understand what options would best address current and future needs of the public safety departments. These finding and options will be presented to City Council.

City Budgetary Impacts: TBD

Staff Recommended Action: Discussion

Previous Meetings and History: 6/6/2022 and 6/27/2022 Workshop discussion

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposal to change the Regular City Council meetings from Monday to Tuesday nights

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Information: In 2022, 7 holidays fell on a Monday and the Council meetings had to be moved to another date. In 2023 there will be 6 holidays that fall on a Monday Council meeting night, and in 2024 there will be 5.

Staff is proposing to move the meetings from the first and third Monday of the month to the first and third Tuesday of the month.

In 2023, there is one holiday (4th of July), and the November 7th Election that will fall on the first Tuesday of those months.

In 2024, the only conflict will be the November 5th election.

City Budgetary Impacts: None

Staff Recommended Action: Discussion, with first reading and public hearing to be held on August 1, 2022 and second reading on August 15, 2022.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

Sec. 2-58. Time and place of regular meetings.

The dates and time of the regular meetings of the city council shall be the first and third ~~Mondays~~ Tuesdays of each calendar month at 7:00 p.m. If a regular meeting night falls on a legal holiday or the night before a legal holiday, then the stated meeting shall be held on the following Tuesday at the same time and place unless the city council shall, at the meeting held ~~next~~ prior to the meeting falling on the holiday or the night before the holiday, ~~fix~~ determine an ~~different~~ alternate meeting date. The place of such meetings shall be the city council chamber in the city building, hereby designated to be the regular meeting place, unless the council designates another meeting place. All meetings of the city council shall be open to the public and may be continued to another location.

(Code 1967, § 1-3.7; Ord. of 1-12-1998; Ord. No. 01-01042016, 1-4-2016; Ord. No. 01-01032022, 1-18-2022)

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 96-07182022

Author: Rita Beaudry, Grant Manager

Subject: Maine Municipal Association – Executive Committee

Information: Any elected or appointed municipal official holding office in any Maine Municipal Association (MMA) member community is eligible to serve on the Executive Committee.

MMA Nomination Process: Each year, member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2023 Proposed Slate of Nominees to member municipalities.

The official MMA ballot is being presented for City Council vote. The deadline to cast a ballot for MMA's Annual Election for Vice President and Executive Committee Members is Friday, August 19, 2022. The ballot must be signed by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers.

City Budgetary Impacts: None

Staff Recommended Action: Cast the voting ballot for the Election of MMA Vice President and Executive Committee Members as presented on the ballot.

Previous Meetings and History: August 2, 2021

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Official Ballot - MMA Executive Committee – to be signed by each or a majority of City Council members.

MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 19, 2022

VICE-PRESIDENT - 1 YEAR TERM — **Vote for One**

Proposed by MMA Nominating Committee:

Diane Hines, Town Manager, Town of Ludlow & Reed Plantation ☐

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM — **Vote for Three**

Proposed by MMA Nominating Committee:

Ivan McPike, Mayor, Town of Hampden ☐

'Phillip Crowell, City Manager, City of Auburn ☐

Anthony Ward, Town Manager, Town of Casco ☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____ Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers **Current # of Municipal Officers:** _____

Print Names:	Signatures:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Return To:

MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358
Email: tchavarie@memun.org

MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2023 EXECUTIVE COMMITTEE

MMA VICE PRESIDENT
(1-Year Term)

DIANE HINES (TOWN MANAGER, TOWN OF LUDLOW & REED PLANTATION)

Professional & Municipal Experience:

- Town of Reed Plantation, Maine, Town Manager (2015 – Present)
- Town of Ludlow, Maine, Town Manager (2010 – Present)
- Town of Hammond, Maine Town Administrator (2006 – 2014)
- Member, Maine Municipal Association, Legislative Policy Committee
- Treasurer, Aroostook Municipal Association

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2020 - current)
- Member, MMA Property & Casualty Pool Board of Directors (2020 - current)
- Member, MMA Workers Compensation Fund Board of Trustees, (2020 – current)
- Southern Aroostook Community School – Mathematics Teacher (2009 – 2010)
- Wood Prairie Farm, Bridgewater, Maine – Shipping Room Manager (2008 – 2009)
- Hines Sculpture and Stone Work, Hammond, Maine, Self Employed (1995 – 2012)
- Camden-Rockport School District, Camden, Maine – Substitute Teacher (1994)
- Fogg's Home Center, Houlton, Maine – Assistant Manager Home/Garden (1992 – 1994)
- MSAD #29, Houlton, Maine – Substitute Teacher (1985 – 1992)
- McLaughlin Textile, Houlton, Maine – Assistant Manager/Sales (1981 – 1985)
- Maine Glove Company, Houlton, Maine – Assistant Manager and trainer1979 – 1981)

Education:

- University of Maine at Presque Isle, Presque Isle, Maine (Secondary Education Certification) (1994)
- Philadelphia College of Textiles and Science- Philadelphia, Penna, (B.S. Textile Design) (1974)
- SAD#29 School Board (2002 – 2007)
- Maine Municipal Association - Training Programs (2006 – 2018)
- Public Relations Chair, Houlton Rotary Club (2014 – 2018)

MMA EXECUTIVE COMMITTEE MEMBERS
(3-Year Terms)

IVAN MCPIKE (MAYOR, TOWN OF HAMPDEN)

Professional & Municipal Experience:

- Council, Town of Hampden (2015 – current); Mayor (2017 – current)
- Self Employed Owner, Maine Salt Co., Hampden, (retired in 2010)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- President, Downtown Bangor Association
- President, Greater Bangor Chamber of Commerce
- Member, Board of Directors, Bangor YMCA
- Member, Board of Directors, RSU 22 (2015 – current)
- Member, Board of Directors, EMCC Foundation Committee
- Member, Board of Friends of Maine Hockey
- Advisor to Fund Raising Committee, St. Joseph Hospital
- Sargent at Arms and Board Member, Bangor Breakfast Rotary Club, 20 years
- Mason, Past Master Mystic Lodge 66 of Hampden
- Life Member, Anah Shriners of Bangor

Education:

- Hampden Academy, Graduate (1966)
- Bachelor of Accounting, University of Maine

Awards and Certifications:

- Paul Harris Fellow Award
- Jaycees Outstanding Young Man Award for the State of Maine

PHILLIP CROWELL (CITY MANAGER, CITY OF AUBURN)

Professional & Municipal Experience:

- City Manager, City of Auburn (2020 – present)
- Assistant City Manager, City of Auburn (2018 – 2020)
- Chief of Police, City of Auburn (2006 – 2018)
- Acting City Manager, City of Auburn (October 2011 – January 2012)
- Acting Assistant City Manager, City of Auburn (2010 – 2011)
- Interim Director, Lewiston-Auburn 911 (2009 – 2010)
- Deputy Chief of Police, Auburn Police Department (2000 – 2006)
- Detective, Criminal Investigation Division, Auburn Police Department (1998 – 2000)
- School Resource Officer, Criminal Investigation Division, Auburn Police Department (1996 – 1998)
- Patrol Officer, Patrol Division, Auburn Police Department (1993 – 1996)
- U. S. Army, Military Police Officer (1986 – 1992)

Other Experience, Committees and Affiliations:

- President, Executive Committee, Androscoggin Valley Council of Government
- Vice President, Executive Committee, Maine Service Centers Coalition
- Executive Committee, Lewiston-Auburn Metro Chamber of Commerce
- Member, Board of Directors, Androscoggin Home Healthcare and Hospice
- Member, Board of Directors, Promise Early Education
- Member, International City/Council Management Association
- Member, Maine Town, City and County Management Association
- Member, Federal Bureau of Investigation's National Academy Association
- Retired Member, International Association of Chiefs of Police
- Retired Member and Past President, Maine Chiefs of Police Association

Education:

- Bachelor of Science, Administration of Justice, University of Maine Augusta (2006)
- FBI Academy, Quantico, VA, University of Virginia (2004)
- A.S. Criminal Justice, University of Maine Augusta (1998)

Awards and Certifications:

- Certified City Manager, Maine Town, City and County Management Association (2021)
- Maine Chiefs of Police, Chief of the Year Award (2018)
- Juvenile Justice Reform & Collaboration, IACP Law Enforcement Leadership Institute (2014)
- International Association of Chiefs of Police, Civil Rights Award
- Androscoggin County Chamber, Public Service Leadership Award (2011)
- Maine Association of Area Agencies on Aging, Excellence in Aging Award (2010)
- Federal Bureau of Investigation, National Academy (2004)
- Assessor Certification, Commission on Accreditation for Law Enforcement Agencies (2004)
- Babson College, Wellesley, MA, New England Institute of Law Enforcement Management (2004)
- National Exchange Club, 1999 Officer of the Year
- Elks Lodge, Investigator of the Year 1999
- Maine Criminal Justice Academy, Professional Award (1994)
- U.S. Army, Southwest Asia Service Medal with (2) Bronze Service Stars
- U.S. Army, Saudi Arabian Medal for the Liberation of Kuwait
- U.S. Army, Kuwaiti Medal for the Liberation of Kuwait

ANTHONY WARD (TOWN MANAGER, TOWN OF CASCO)

Professional & Municipal Experience:

- Town Manager/Road Commissioner, Town of Casco (2021 – present)
- Town Manager/Road Commissioner, Town of Sabattus (2015 – 2021)
- Chief of Police, Town of Sabattus (2011 - 2015)
- Internal Affairs Lieutenant/Chief of Police Adjutant, Portland Police Department (2009 – 2011)
- Detective Lieutenant, Portland Police Department (2007 – 2009)
- Internal Affairs Lieutenant, Portland Police Department (2006 – 2007)
- Community Affairs Lieutenant, Portland Police Department (2003 – 2006)
- Patrol Lieutenant, Portland Police Department (2000 – 2003)
- Various positions within the Portland Police Department (1985 – 2000)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Legislative Policy Committee (2018 – 2021)
- Member, Maine Town City and County Management Association (2016 – present)
- Member, Androscoggin Transportation Resource Center (2015 – 2021)
- Vice President, Board of Directors, Soccer for State of Maine (2009 – 2017)
- Member, Board of Directors, Maine Chief of Police Association (2013 – 2015)
- Chair, Community Economic Development Committee, Town of Gray (2012 – 2015)
- Chair, Lisbon Communication Committee 2015
- Advisory Board, Kaplan University, Criminal Justice Program (2013)
- Advisory Board, Southern Maine Community College – Criminal Justice Program (2012)
- Patriot Soccer Club, Gray ME (2002 – 2013)

Education:

- Master of Public Policy and Management, Policy and Financial Management, University of Southern Maine/Muskie School of Public Policy, Portland, Maine
- Bachelor of Science, Applied Technical Leadership, University of Southern Maine, Gorham, ME
- A.S. Law Enforcement Technology, Southern Maine Vocational Technical Institution, South Portland, ME

Awards and Certifications:

- International County/City Managers Association (2015)
- Maine Town & City Management Association (2015)
- Executive Certification by Maine Criminal Justice Academy (2011)
- International Association Chief of Police (2011)
- Maine Chief of Police (2011)

ORDER 96-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby cast the voting ballot for the Election of MMA Vice President and Executive Committee Members as presented on the ballot.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 97-07182022

Author: Rita Beaudry, Grant Manager

Subject: Maine Municipal Association – Legislative Policy Committee

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Information: Any elected or appointed municipal official holding office in any Maine Municipal Association (MMA) member community is eligible to serve on the Legislative Policy Committee. There are two seats on the LPC for each State Senate District. Members serve two-year terms, representing their own community and other municipalities in their Senate District.

The LPC brings elected and appointed officials together from towns and cities across the state. According to its by-laws, the purpose of the LPS is "to define municipal interests and to maximize those interest through effective participation in the legislative process." Operating something like a town meeting, the LPS establishes MMA's public policy positions on all matters of direct and statewide municipal interest for representation in the State House.

MMA's strength as a municipal advocate depends on the active help of a dedicated LPC membership. MMA is seeking nominations from its members to serve on MMA's 2022-2024 Legislative Policy Committee. Senate District 20 is comprised of Auburn, Durham, New Gloucester, and Poland. Auburn appoints 1 LPC Member.

The official MMA ballot for District 20 is being presented for City Council vote.

City Budgetary Impacts: None

Staff Recommended Action: City Council vote for City Manager Phil Crowell to serve on MMA's 2022-2024 Legislative Policy Committee.

Previous Meetings and History: June 6, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Official Ballot - MMA Legislative Policy Committee – to be signed by each City Council member.

OFFICIAL BALLOT – District 20

Maine Municipal Association's Legislative Policy Committee
July 1, 2022 – June 30, 2024

VOTE FOR ONE: *(Auburn appoints one member)*

- ☐ Matthew Garside, Town Manager, Town of Poland
- ☐ Phillip Crowel, Jr., City Manager, City of Auburn
- ☐ _____ (✎ write in)

(name) (position) (municipality)

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____

✍ BY SELECTMEN/COUNCILORS:

_____ signature	_____ print name
_____ signature	_____ print name
_____ signature	_____ print name
_____ signature	_____ print name
_____ signature	_____ print name

Return by 5:00 p.m., August 11, 2022 to:

Laura Ellis, Maine Municipal Association
lellis@memun.org
Fax: 624-0129

LPC Senate District 20 *(Auburn appoints one member)*

Auburn	New Gloucester
Durham	Poland

Candidate Profile:

Matthew Garside has served as Manager in the Town of Poland for more than six years. Prior to that he served as CEO of an oil and gas firm and was a Captain in the U.S. Navy. Matthew would like to serve on the LPC because he believes strongly that presenting a united consensus on municipal issues serves everyone's interest and that the reasoned, well thought out approach to lobbying the Legislature is a good model and it should be continued.

Phillip Crowell, Jr. has served as City Manager in Auburn for the past two years. Prior to that he served as Assistant City Manager for two years and Police Chief for twelve years. Phil has served on the LPC since 2018 and would like to continue his service because he believes that home-based advocacy efforts make the LPC successful. Past commitments were honored in the last session and the core areas were protected. He hopes to continue doing his part to protect local governance in the coming session.

ORDER 97-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby officially votes to appoint City Manager Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's 2022-2024 Legislative Policy Committee.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Meeting Date: July 18, 2022 **Order:** 98-07182022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Kale Dodge

Information:

In March of 2022, Auburn Police Department Officer Robinson conducted a traffic stop of Kale Dodge. While speaking with Dodge, Dodge told Officer Robinson he had a firearm just inside his door along with a few knives and a baseball bat. Officer Robinson asked if he could retrieve the firearm and Dodge allowed him to. During the stop Officer Avery and Officer Dyer arrived to assist. During the encounter Officer Avery noticed bags of raw marijuana behind the driver's seat, in plain view. Dodge could not tell them how much marijuana he had. To the officers, it appeared to be a large amount. The marijuana ended up weighing nearly two pounds. As a result of the investigation Dodge was arrested for t17A-1103 Trafficking Marijuana Class C. . During the course of the investigation a Smith & Wesson M&P 9mm bearing serial# MM50597 was seized as evidence in the case.

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer Smith & Wesson M&P 9mm to the Auburn Police Department.

Staff Recommended Action: Vote to accept the transfer of Smith & Wesson M&P 9mm

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Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
*None

ORDER 98-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of Smith & Wesson M&P 9mm to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-654).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Orders:** 99-07182022 and 100-07182022

Author: Sue Clements-Dallaire, City Clerk

Subject: Electing Members to Serve on the Androscoggin County Budget Committee for Budget Years 2023/2024/2025

Information: County Commissioners held the Budget Caucus to nominate Budget Committee members for budget years 2023/2024/2025. Municipal officers shall vote, as a board, for two budget committee members whose names appear on the ballot for County Commission Districts 5 and 6. Municipal officers must vote for at least one candidate who is a municipal official. The ballot must be returned to the County Commissoners by August 1, 2022.

There are three candidates on the District 6 ballot: Leroy Walker and Larry Pelletier (Auburn), Jane Pentheny (Poland)
There are two candidates on the District 5 ballot: Phil Crowell and Gordon Bell (Auburn)

City Budgetary Impacts: Auburn representation during budget discussions.

Staff Recommended Action: Recommend passage of orders as presented voting for Leroy Walker and Larry Pelletier for District 6, and Phil Crowell and Gordon Bell for District 5.

Previous Meetings and History: Members are elected once every three years

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Letter from County Commissioners, ballots, Orders

ANDROSCOGGIN COUNTY

COMMISSIONERS
Sally Christner, Chair
Terri Kelly, Vice-Chair
John Michael, Commissioner
Brian Ames, Commissioner
Roland Poirier, Commissioner
Garrett Mason, Commissioner
Edouard Plourde, Commissioner

COUNTY ADMINISTRATOR
Androscoggin County
2 Turner Street
Auburn, ME 04210
Tel. No. (207) 753-2500
Fax No. (207) 782-5367

June 24, 2022

To: Municipal Officers of Androscoggin County
From: Office of County Commissioners

Greetings:

As required in the Androscoggin County Charter, we have held a caucus to nominate Budget Committee members. Please see the attached ballot for your district. The charter also states, "The municipal officers shall vote, as a board, for two (2) Budget Committee members from the candidates on the ballot. The municipal officers must vote for at least one (1) candidate who is a municipal official. After voting, the municipal officers shall return the ballot to the Board by a certain date."

Please return the ballots by August 1, 2022.

ANDROSCOGGIN COUNTY COMMISSION
DISTRICT 5 (Part of Auburn)

ANDROSCOGGIN COUNTY BUDGET COMMITTEE
Participating in 2022-23-24 (for budget years 2023/24/25)

OFFICIAL BALLOT- Revised due to Title 21-A, Maine Apportionment of Districts

Municipal Officers shall vote, as a board, for two (2) Budget Committee members to serve on the Androscoggin County Budget Committee to represent District 5. The municipal officers must vote for at least one (1) candidate who is a municipal official. 30-A M.R.S.A. §722 defines municipal officials to mean "mayor, aldermen, councilors or manager of a city and the selectmen, councilors or manager of a town located in Androscoggin County."

Mark the box with an X.

- ☐ Phil Crowell, Auburn City Manager (Municipal Official)
- ☐ Gordon Bell, Auburn Resident

VOTED AT MEETING OF_____, 2022

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

ANDROSCOGGIN COUNTY COMMISSION
DISTRICT 6 (**Part of Auburn,** Mechanic Falls, Poland)

ANDROSCOGGIN COUNTY BUDGET COMMITTEE
Participating in 2022-23-24 (for budget years 2023/24/25)

OFFICIAL BALLOT-Revised due to Title 21-A, Maine Apportionment of Districts

Municipal Officers shall vote, as a board, for two (2) Budget Committee members to serve on the Androscoggin County Budget Committee to represent District 6. The municipal officers must vote for at least one (1) candidate who is a municipal official. 30-A M.R.S.A. §722 defines municipal officials to mean "mayor, aldermen, councilors or manager of a city and the selectmen, councilors or manager of a town located in Androscoggin County."

Mark the box with an X.

- ☐ Jane Pentheny, Poland Selectperson (Municipal Official)
- ☐ Leroy Walker, Auburn Councilor (Municipal Official)
- ☐ Larry Pelletier, Auburn Resident

VOTED AT MEETING OF_____, 2022

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

_____, Councilor

ORDER 99-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby casts their votes for Leroy Walker and Larry Pelletier to serve on the Androscoggin County Budget Committee, representing County Commission District 6 for budget years 2023/2024/2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 100-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby casts their votes for Phil Crowell and Gordon Bell to serve on the Androscoggin County Budget Committee, representing County Commission District 5 for budget years 2023/2024/2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

I. Consent Items - None

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

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

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

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

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

IV. Open Session

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

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

V. Unfinished Business

VI. New Business

1. Order 89-06272022
Amending Order 68-06062022, previously adopted by the Auburn City Council on June 6, 2022, regarding the first Council meeting in July.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 90-06272022

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

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

Public hearing – No one from the public spoke.

Passage 7-0.

3. **Order 91-06272022**
Authorizing the City Clerk to waive the $60 business licensing fee (Temporary Food Service License) as requested by Auburn resident, Beth Woodhead who would like to sell whoopie pies to raise funds for Auburn School Department's Odyssey of the Mind.

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

Public comment – No one from the public spoke.

Passage 7-0.

4. **Order 92-06272022**
Adopting the HOME consortium agreement.

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

Public comment – No one from the public spoke

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

5. **Order 93-06272022**
Allocating $1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

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

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

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

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

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

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

Passage 7-0.

6. **Order 94-06272022**
Amending Order 137-12062021, previously adopted by the Auburn City Council on December 6, 2021.

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

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

Passage 7-0.

7. **Order 95-06272022**
Allocating $100,000.00 of American Rescue Plan Act (ARPA) funds for the OpBox and Kayak Rental Kiosk.

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

Public comment – No one from the public spoke.

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

Passage 7-0.

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

8. **Ordinance 17-06272022**
Re-adopting the ward maps and descriptions that were adopted on 3/17/2014 using the 2020 census block references. Public hearing and first reading.

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

Public hearing – No one from the public spoke.

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

VII. Open Session

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

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

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

VIII. Reports (from sub-committees to Council)

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

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

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

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

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

Jill Eastman, Finance Director – May 2022 Final Monthly Report

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

Passage 7-0.

IX. Executive Session

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

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

Passage 7-0, time 8:18 pm.

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

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

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

Passage 7-0, time 8:40 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

AARP®

THIS IS TO CERTIFY THAT THE

City of Auburn, Maine

has created an action plan for becoming more age-friendly under the criteria established by AARP and has been renewed as a member of

The AARP Network of Age-Friendly States and Communities

THIS CERTIFICATION IS VALID UNTIL

June 27, 2025

Nancy A. LeaMond, Chief Advocacy and Engagement Officer
COMMUNITY, STATE AND NATIONAL AFFAIRS, AARP | WASHINGTON, D.C.

**The AARP Network of Age-Friendly States and Communities,
a program of the AARP Livable Communities initiative,
is an independent affiliate of the World Health Organization Global Network
for Age-Friendly Cities and Communities.®**

AARP NETWORK OF AGE-FRIENDLY STATES AND COMMUNITIES
JOINED 2021

**Age-Friendly Communities
Are Livable for
People of *All* Ages**
aarp.org/livable

Citizens for Sensible Growth

July 6, 2022

Susan Clements-Dallaire
City Clerk
City of Auburn
60 Court St.
Auburn, ME 04210

Dear Susan:

On behalf of the Citizens for Sensible Growth I am submitting, pursuant to Section 9.3 of the City Charter, our petition to Repeal Ordinance 11-03212022.

Citizens for Sensible Growth has previously filed an affidavit, attached, creating a petitioner's committee pursuant to Section 9.2 of the City Charter.

Our submission consists of 119 petition forms having 2,437 signatures. I would note that we have attached a secondary Circulator's Affidavit to all but one of the petition forms. This was done as we noticed, after the circulators had completed the affidavit included on the petition form, that the original affidavit did not clearly certify that the circulator was a resident of Auburn. To ensure that the circulators had fully met the requirements of the City Charter, Section 9.5 C, a secondary affidavit with the language "that I am a resident of Auburn, Maine;" added to the certification section was attached to each petition form and sworn to by the circulator. We were unable to have a secondary affidavit notarized for the petition form circulated by Julianna Hayes as she is visiting Australia for an extended period.

We understand that pursuant to Section 9.4 of the City Charter that you will review our petitions for sufficiency within twenty days. If sufficient you will

transmit a certificate of sufficiency to the City Council. If found insufficient you will notify us of the details of the insufficiency via certified mail so that we might, pursuant to Section 9.4 A of the City Charter, cure the insufficiency.

We look forward to the results of your review.

Sincerely,

John Cleveland

Member, Petitioner's Committee

PretiFlaherty

Portland, ME
Augusta, ME
Concord, NH
Boston, MA
Washington, DC

Kristin M. Collins
kcollins@preti.com
207.791.3292

July 6, 2022

Auburn City Council
City of Auburn
60 Court Street
Auburn, ME 04210

RE: Ordinance 11-03212022 Referendum and T-4.2B Zoning Map Amendment

Dear Council Members:

My client, Citizens for Sensible Growth, has submitted a valid referendum petition to repeal Ordinance 11-03212022 ("the Ordinance"). With the filing of this referendum petition, the Ordinance will be suspended until the Petition is deemed insufficient or withdrawn, the Ordinance is repealed, or 30 days after the election on the referendum. *See* Auburn, Me., Charter, § 9.5. This suspension is intended to protect the City's voters from ordinances with which they disagree while they are attempting to review or repeal them. During this period of suspension, the Ordinance may not be applied to pending applications.

Until the referendum is voted upon, it would be a violation of the City Charter to enact a duplicative ordinance or modification of the subject ordinance with the intent or effect to circumvent this process. The public's right to approve or disapprove of legislation through the initiative and referendum processes is absolute, and the Council cannot act, directly or indirectly, to frustrate that right. *See Farris ex rel. Dorsky v. Goss*, 143 Me. 227, 232, 60 A.2d 908 (Me. 1947).

Despite numerous procedural irregularities, the City Council enacted the Ordinance on March 28, 2022. The Ordinance relocates 1,687.41 acres from the City's Urban Residential Area to the Traditional Neighborhood Development District (T-4.2). Because the City Council and Planning Board failed to engage the public as required prior to such a sweeping zoning amendment, and because the Ordinance would have a significant effect on the City, Citizens for Sensible Growth began circulating the petition to repeal the Ordinance. The City Council and Planning Board have recently considered an amendment that would relocate the same 1,687.41 acres from the City's Urban Residential Area to the "new" Traditional Neighborhood Development District (T-4.2B). There are no substantive differences between T-4.2 and T-4.2B. The sole effect of the amendment would be to duplicate the Ordinance and frustrate the purpose of the Petition. As such, it must be tabled until the referendum election is held.

All of the City's actions in regard to the Ordinance and Amendment have been rushed and undertaken without providing sufficient time for the City Council, Planning Board, or Auburn residents to provide input and feedback related to their impact on the City. On behalf of

Citizens for Sensible Growth, I urge the City Council to give the voters an unfettered opportunity to be heard on these issues.

Sincerely

Kristin M. Collins

cc: Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022

Author: Karen Scammon

Subject: Valuation adjustments

Information: The City Assessor and Deputy Assessor will present a Power Point presentation on valuation adjustments/Declared ratio and 2022 mil rate.

City Budgetary Impacts: N/A

Staff Recommended Action: Presentation

Previous Meetings and History: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Ordinance:** 17-06272022

Author: Sue Clements-Dallaire, City Clerk

Subject: Re-districtng

Information: Title 30-A §2503 (2) states that "the Municipal Legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts". Those were adopted by the 130th Legislature and signed into law by the Governor on 9/29/21.

Title 30-A §2503 (1)(B) also states "each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created".

Below are the numbers taken from the 2020 census and broken down by districts.

Ward	Target Population	Actual Population	Variance
1	4,812.2	5,040	+227.8
2	4,812.2	4,665	-147.2
3	4,812.2	5,023	+210.8
4	4,812.2	4,615	-197.2
5	4,812.2	4,718	-94.2
	24,061	24,061	

The variance between the lowest (W4) and highest (W1) populated districts is 425 or 9%.

We are proposing re-adopting the ward maps and descriptions but will have to replace references to the 2010 census block numbers with the 2020 census block numbers in the written descriptions.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends re-adopting the current Ward lines.

Previous Meetings and History: Every 10 years following the census. This was presented at the 6/6/2022 Council workshop, public hearing and passage of first reading was held on 6/27/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: 30-A Sec. 2503, maps and descriptions.

§2503. Reapportionment

1. Adoption by ordinance. Districts established for the purpose of electing, from each district, an equal number of municipal officers may be adjusted, by ordinance, by the municipal legislative body subject to the following conditions.

A. Each district must be formed of compact, contiguous territory. Its boundary lines may follow the center lines of streets. [PL 1987, c. 737, Pt. C, §2 and Pt (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The ordinance must include a map and a description of the districts. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. The ordinance takes effect on the 30th day after adoption by the legislative body. The new districts and boundaries, as of the effective date, supersede previous districts and boundaries for the purposes of the next regular municipal election, including nominations. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Failure to enact ordinance. The municipal legislative body must enact the reapportionment ordinance within 12 months after the Legislature has reapportioned the House and Senate districts pursuant to the Constitution of Maine, Article IV, Part First, Section 3 and Article IV, Part Second, Section 2 or after a court decision finalizing the reapportionment of districts. The ordinance must be enacted at least 90 days before a regular municipal election occurring within that 12-month period or the previous reapportionment ordinance applies to that election. If the legislative body fails to enact an ordinance within the 12-month period or at least 90 days before a regular election occurring after the 12-month period, all municipal officers to be elected must be elected at large and serve until their terms expire. Such at-large elections continue until the legislative body enacts an ordinance in accordance with subsection 1 at least 90 days before a regular municipal election.

[PL 2001, c. 537, §1 (AMD); PL 2001, c. 537, §2 (AFF).]

3. Referendum. Except when the municipal legislative body is the town meeting, the voters of the municipality may require the municipal legislative body to reconsider any ordinance adopted under subsection 1. If the legislative body does not repeal an ordinance so reconsidered, the voters may approve or reject it at a municipal election.

A. Any 5 voters may commence referendum proceedings by filing an affidavit with the municipal clerk stating:

(1) They will constitute the petitioners' committee;

(2) They will be responsible for circulating the petition and filing it in proper form;

(3) Their names and addresses;

(4) The address to which all notices to the committee are to be sent; and

(5) The ordinance sought to be reconsidered.

Promptly after the affidavit of the petitioners' committee is filed, the clerk shall issue the appropriate petition blanks to the petitioners' committee. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Petitions under this subsection must meet the following requirements.

(1) Petitions must be signed by a number of voters of the municipality equal to at least 15% of the total number of voters in the municipality at the last presidential election.

(2) All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature must be executed in ink or indelible pencil and must be followed by the address of the person signing. While being circulated, petitions must have the full text of the ordinance sought to be reconsidered contained in or attached to the petition.

(3) When filed, each paper of a petition must have an affidavit, executed by the circulator of the petition, attached to it stating:

(a) That the circulator personally circulated the paper;

(b) The number of signatures on the paper;

(c) That all the signatures were signed in the circulator's presence;

(d) That the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and

(e) That each signer had an opportunity before signing to read the full text of the ordinance sought to be reconsidered.

(4) Petitions must be filed within 30 days after the municipal legislative body adopts the ordinance sought to be reconsidered. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. The following procedure shall be followed after the petition is filed with the municipal clerk.

(1) Within 20 days after the petition is filed, the municipal clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars which render it defective. The clerk shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of the clerk's certificate and files a supplementary petition upon additional papers within 10 days after receiving a copy of the certificate. This supplementary petition must comply with the requirements of paragraph B, subparagraphs (2) and (3). Within 5 days after it is filed, the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of that certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend the petition or request review under subparagraph (2), within the time required, the clerk shall promptly present the clerk's certificate to the municipal legislative body and the certificate is then a final determination as to the sufficiency of the petition.

(2) If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee, within 2 days after receiving the copy of the certificate, may file a request that it be reviewed by the municipal legislative body. The legislative body shall review the certificate at its next meeting following the filing of the committee's request and approve or disapprove it. This determination is then final as to the sufficiency of the petition.

(3) A final determination as to the sufficiency of a petition is subject to court review. A final determination of insufficiency, even if sustained upon court review, does not prejudice the filing of a new petition for the same purpose. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. When a petition is filed with the clerk under this subsection, the ordinance sought to be reconsidered is suspended from taking effect. This suspension ends when:

(1) There is a final determination of insufficiency of the petition;

(2) The petitioners' committee withdraws the petition;

(3) The council repeals the ordinance; or

(4) Thirty days have elapsed after a vote of the municipality on the ordinance. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. The following procedure shall be followed if a petition is determined to be sufficient.

(1) When a petition has been finally determined sufficient, the municipal legislative body shall promptly reconsider the referred ordinance by voting its repeal. If the legislative body fails to repeal the referred ordinance within 30 days after the date the petition was finally determined sufficient, it shall submit the referred ordinance to the voters of the municipality.

(2) The vote of the municipality on a referred ordinance shall be held at least 30 days and not more than one year after the municipal legislative body's final vote on the ordinance. If no regular municipal election is to be held within this period, the legislative body shall provide for a special election; otherwise the vote shall be held at the same time as a regular election occurring within this period, except that the legislative body, in its discretion, may provide for a special election at an earlier date within the prescribed period. Copies of the referred ordinance shall be made available at the polls.

(3) The form of the ballot for the repeal of the ordinance shall be substantially as follows:

"Shall the ordinance entitled '.....' be repealed?

YES / / NO / /"

(The voters shall indicate their choice by a cross or check mark placed in the appropriate box opposite the words YES or NO.)

(4) A petition may be withdrawn at any time before the 15th day prior to the day scheduled for a vote of the municipality. The petitioners' committee must file with the municipal clerk a request for withdrawal signed by at least 4 members of the petitioners' committee. Upon filing this request, the petition has no further effect and all proceedings on the petition shall be terminated. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

F. If a majority of the voters who vote on a referred ordinance vote for its repeal, it is considered repealed upon certification of the election results. [PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. A, §16 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Exception. This section does not apply to municipalities whose charters specify different methods of reapportionment.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§A116,C8,10 (AMD). PL 1989, c. 104, §§A116,C10 (AMD). PL 2001, c. 537, §1 (AMD). PL 2001, c. 537, §2 (AFF).

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ORDINANCE 17-06272022

City Council Ordinance

IN CITY COUNCIL

Chapter 1, Sec. 2-2 Ward Boundaries

Be it ordained, that the Code of Ordinances, Chapter 1, Sec. 2-2 Ward Boundaries and attached Ward maps are adopted as attached:

Sec. 2-2. Ward boundaries.

(a) *Ward 1.* The boundaries of ward 1 shall be as follows:

Beginning at the southeast corner of census Block 4004 of Tract 010200 in the Androscoggin River; then southwest along the boundary of Block 4004 and then Block 4000 of Tract 010200 until it intersects with Turner Street; then northeasterly along the centerline of Turner Street until it intersects with Parker Street; then southwest along the centerline of Parker Street to the intersection of Summer Street; then northwest along the centerline of Summer Street to the intersection of Youngs Corner Road; northwesterly, southwesterly, and westerly along the centerline of Youngs Corner Road to the intersection of Jackson Hill Road; westerly and northwesterly along the centerline of Jackson Hill Road to the Auburn/Minot municipal boundary; then northerly along the Auburn/Minot municipal boundary to the intersection with the Auburn/Turner municipal boundary; then southeasterly along the Auburn/Turner municipal boundary to the Androscoggin River and the Auburn/Greene municipal boundary; then southerly along the Androscoggin River and the Auburn/Greene and Auburn/Lewiston municipal boundaries to the point of beginning.

(b) *Ward 2.* The boundaries of ward 2 shall be as follows:

Beginning at the intersection of Parker Street and Summer Street northwest along the centerline of Summer Street to the intersection of Youngs Corner Road; then northwesterly, southwesterly, and westerly along the centerline of Youngs Corner Road to the Jackson Hill Road; then westerly and northwesterly along the centerline of Jackson Hill Road to the Auburn/Minot municipal boundary; then southerly along the Auburn/Minot municipal boundary to the centerline of Garfield Road; then southeasterly along the centerline of Garfield Road to the intersection of Sunrise Lane; then westerly and northwesterly along the centerline Sunrise Lane to the northeasterly terminus of Sunrise Lane; then northeasterly, southeasterly and southwesterly along the boundary of Block 3008 of Tract 010800; then westerly and southerly along the boundary of Block 3009 of Tract 010800 and Block 3010 of Tract 010800 and Block 3012 of Tract 010800 to the intersection of Kendall Road; then westerly along the centerline of Kendall Road to the Intersection of Stevens Mill Road; then Southerly along the centerline of Stevens Mill Road to the intersection with Minot Avenue; then easterly along the Centerline of Minot Ave to the Southeast corner of Block 2010 of Tract 010400; then northwesterly along the boundary of Block 2010 of Tract 010400 to the intersection with Court Street then northeasterly along the centerline of Court Street to the intersection of Russell Avenue; then southeasterly along the centerline of Russell Avenue to the intersection of Goodrich Avenue; Then northeasterly along Goodrich Avenue to the intersection with Hillside Avenue; then southeasterly along the centerline of Hillside Avenue to the intersection of Merrill Street; then northeasterly along the centerline of Merrill Street. to the intersection of Western Avenue; then northwesterly along Western Avenue to the Intersection of Auburn Heights; then northeasterly and northwesterly along the centerline of Auburn Heights to the intersection of Harris Street; then northwesterly along the

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

centerline of Harris Street to the intersection of Court Street; then westerly on Court street to the intersection of James Street; then northerly along the centerline of James Street to the intersection of Grant Street; then easterly along the centerline of Grant Street to the intersection of Goff Street; then northerly along the centerline of Goff Street to the intersection of Pine Street; then easterly along the centerline of Pine Street to the intersection of Willow Street; then northeasterly along the centerline of Willow Street to the intersection of Webster Street; then southeasterly along the centerline of Webster Street to the intersection of Chestnut Street; then northeasterly along the centerline of Chestnut Street to the intersection of Parker Street; then northeasterly along the centerline of Parker Street to the point of beginning.

(c) *Ward 3.* The boundaries of ward 3 shall be as follows:

Beginning at the intersection of Parker Street and Turner Street southeasterly and southerly along the centerline of Turner to the intersection of Pleasant Street; then southerly along the centerline of Pleasant Street to the intersection of Court Street; then westerly along the centerline of Court Street to the intersection of Minot Avenue; then southerly and southwesterly along the centerline of Minot Avenue to the intersection of Poland Road; then southwesterly along the centerline of Poland Road to the intersection of Rodman Road; then northwesterly along the centerline of Rodman Road to the intersection of Manley Road; then Southwesterly along the centerline of Manley Road to the intersection of Hotel Road; then southwesterly along the centerline of Hotel Road to the intersection of Block 1006 of Tract 010700; then westerly along Block 1006 of Tract 010700 to the Auburn/Poland municipal boundary; then westerly and northwesterly to the intersection of Garfield Road; then southeasterly along the centerline of Garfield Road to the intersection of Sunrise Lane; then westerly and northwesterly along the centerline Sunrise Lane to the easterly terminus of Sunrise Lane; then northeasterly, southeasterly and southwesterly along the boundary of Block 3009 of Tract 010800; then westerly and southerly along the boundary of Block 3014 of Tract 010800 and Block 2006 of Tract 010800 to the intersection of Kendall Road; then westerly along the centerline of Kendall Road to the Intersection of Stevens Mill Road; then Southerly along the centerline of Stevens Mill Road to the intersection of Minot Avenue; then easterly along the Centerline of Minot Ave to the southeast corner of Block 2010 of Tract 010400; then northwesterly along the boundary of Block 2010 of Tract 010400 to the intersection with Court Street then northeasterly along the centerline of Court Street to the intersection of Russell Avenue; then southeasterly along the centerline of Russell Avenue to the intersection of Goodrich Avenue; Then northeasterly along Goodrich Avenue to the intersection with Hillside Avenue; then southeasterly along the centerline of Hillside Avenue to the intersection of Merrill Street; then Northeasterly along the centerline of Merrill Street to the intersection of Western Avenue; then northwesterly along Western Avenue to the Intersection of Auburn Heights; then northeasterly and northwesterly along the centerline of Auburn Heights to the intersection of Harris Street; then northwesterly along the centerline of Harris Street to the intersection of Court Street; then westerly on Court street to the intersection of James Street; then northerly along the centerline of James Street to the intersection of Grant Street; then easterly along the centerline of Grant Street to the intersection of Goff Street; then northerly along the centerline of Goff Street to the intersection of Pine Street; then easterly along the centerline of Pine Street to the intersection of Willow Street; then northeasterly along the centerline of Willow Street to the intersection of Webster Street; then southeasterly along the centerline of Webster Street to the intersection of Chestnut Street; then northeasterly along the centerline of Chestnut Street to the intersection of Parker Street; then northeasterly along the centerline of Parker Street to the point of beginning.

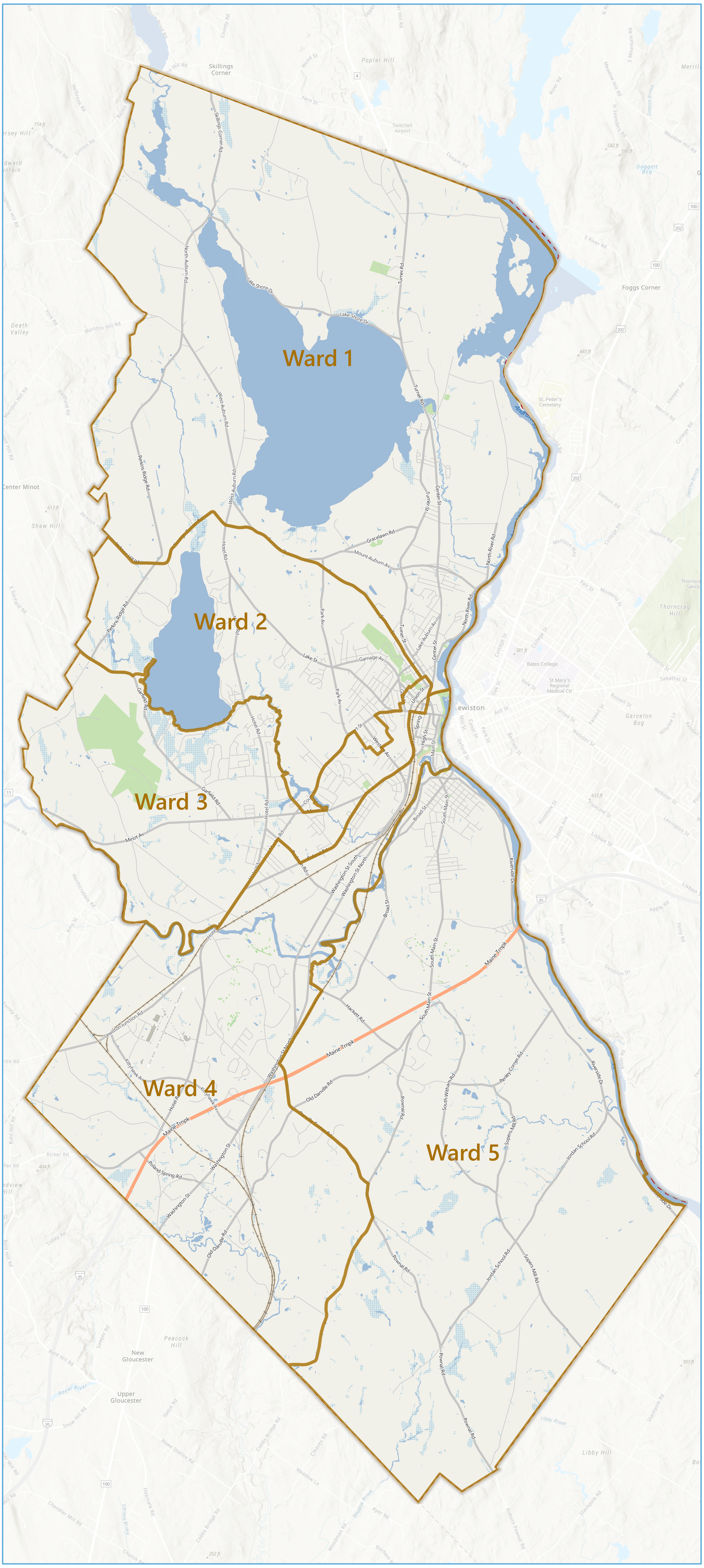
City Council Ordinance

(d) *Ward 4.* The boundaries of ward 4 shall be as follows:

Beginning at the Androscoggin River at the northeast corner of Block 1000 of Tract 010100 westerly along the northern boundary of Block 1000 of Tract 010100 to the intersection of Block 1001 of 010100; then westerly along the boundary of Block 1001 of Tract 010100 to the intersection of Turner Street; then southerly along Turner Street to the intersection of Pleasant Street; then southerly along the centerline of Pleasant Street to the intersection of Court Street; then westerly along the centerline of Court Street to the intersection of Minot Avenue; then southerly and southwesterly along the centerline of Minot Avenue to the intersection of Poland Road; then southwesterly along the centerline of Poland Road to the intersection of Rodman Road; then northwesterly along the centerline of Rodman Road to the intersection of Manley Road; then Southwesterly along the centerline of Manley road to the intersection of Hotel Road; then southwesterly along the centerline of Hotel Road to the intersection of Block 1008 of Tract 010700; then westerly along Block 1008 of Tract 010700 to the Auburn/Poland municipal boundary; then southwesterly along the Auburn/Poland municipal boundary to the Auburn/New Gloucester municipal boundary; then southeasterly along the Auburn/New Gloucester municipal boundary to Trapp Road; then easterly and northeasterly along the centerline of Trapp Road to the intersection of Pownal Road; then northerly along the centerline of Pownal Road to the intersection of Danville Corner Road; then northwesterly and westerly along the centerline of Danville Corner Road to the intersection of Block 2025 of Tract 010700; then northwesterly along the boundary of Block 2025 of Tract 010700 to the intersection of Hackett Road; then northwesterly along the centerline of Hackett Road to the intersection of the southwest corner of Block 2002 of Tract 010700; then north and northeasterly along the boundary of Block 2002 of Tract 010700 to the intersection of the northwesterly corner of Block 2000 of Tract 010700; then northeasterly along the boundary of Block 2000 of Tract 010700; then northeasterly along the thread of the Little Androscoggin River to its confluence with the Androscoggin River and the Auburn/Lewiston municipal boundary; then northerly along the Androscoggin River and the Auburn/Lewiston municipal boundary to the point of beginning.

(e) *Ward 5.* The boundaries of ward 5 shall be as follows:

Beginning at the confluence of the Androscoggin River and the Little Androscoggin River on the Auburn/Lewiston municipal boundary; then southerly along the Androscoggin River and the Auburn/Lewiston municipal boundary to the intersection of the Auburn/Durham municipal boundary; then southwesterly, northwesterly, and southwesterly along the Auburn/Durham municipal boundary to the Auburn/New Gloucester municipal boundary, then northwesterly along the Auburn/New Gloucester municipal boundary to the intersection of Trapp Road; then easterly and northeasterly along the centerline of Trapp Road to the intersection of Pownal Road; then northerly along the centerline of Pownal Road to the intersection of Danville Corner Road; then northwesterly and northerly along the centerline of Danville Corner Road to the intersection of Block 2025 of Tract 010700; then northwesterly along the boundary of Block 2025 of Tract 010700 to the intersection of Hackett Road; then northwesterly along the centerline of Hackett Road to the intersection of the southwest corner or Block 2002 of Tract 010700; then north and northeasterly along the boundary of Block 2002 of Tract 010700 to the intersection of the northwesterly corner of Block 2000 of Tract 010700; then northeasterly along the boundary of Block 2000 of Tract 010700; then northeasterly along the thread of the Little Androscoggin River to its confluence with the Androscoggin River to the point of beginning.



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City of Auburn
60 Court St
Auburn, ME 04210

Auburn Wards

Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.

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Ward 1

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60 Court St
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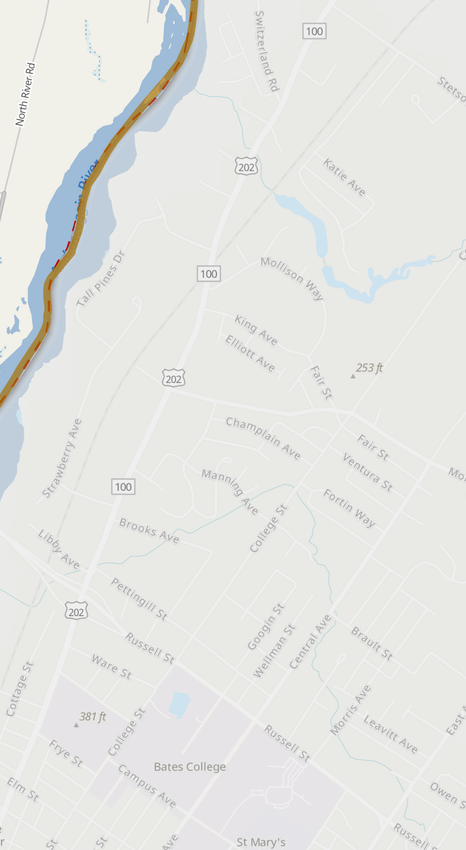
Ward Lines Updated 2014.
Verified using Census 2020 Data.
No Changes required.



Ward Location

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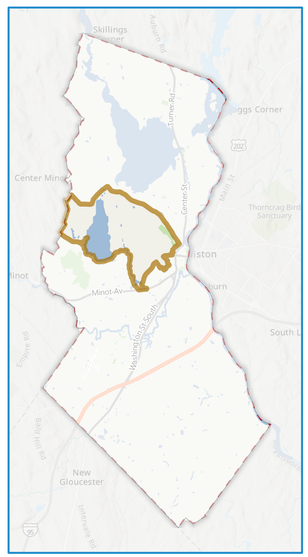
60 Court St
Auburn, ME 04210

Ward 2



Ward Location

Ward Lines Updated 2014.
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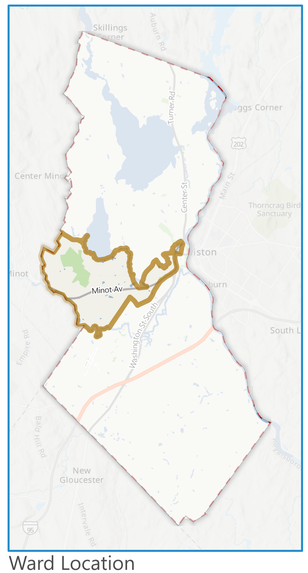
Ward 3



Ward Location

Ward Lines Updated 2014.
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Ward 4

Ward Location

Ward Lines Updated 2014.
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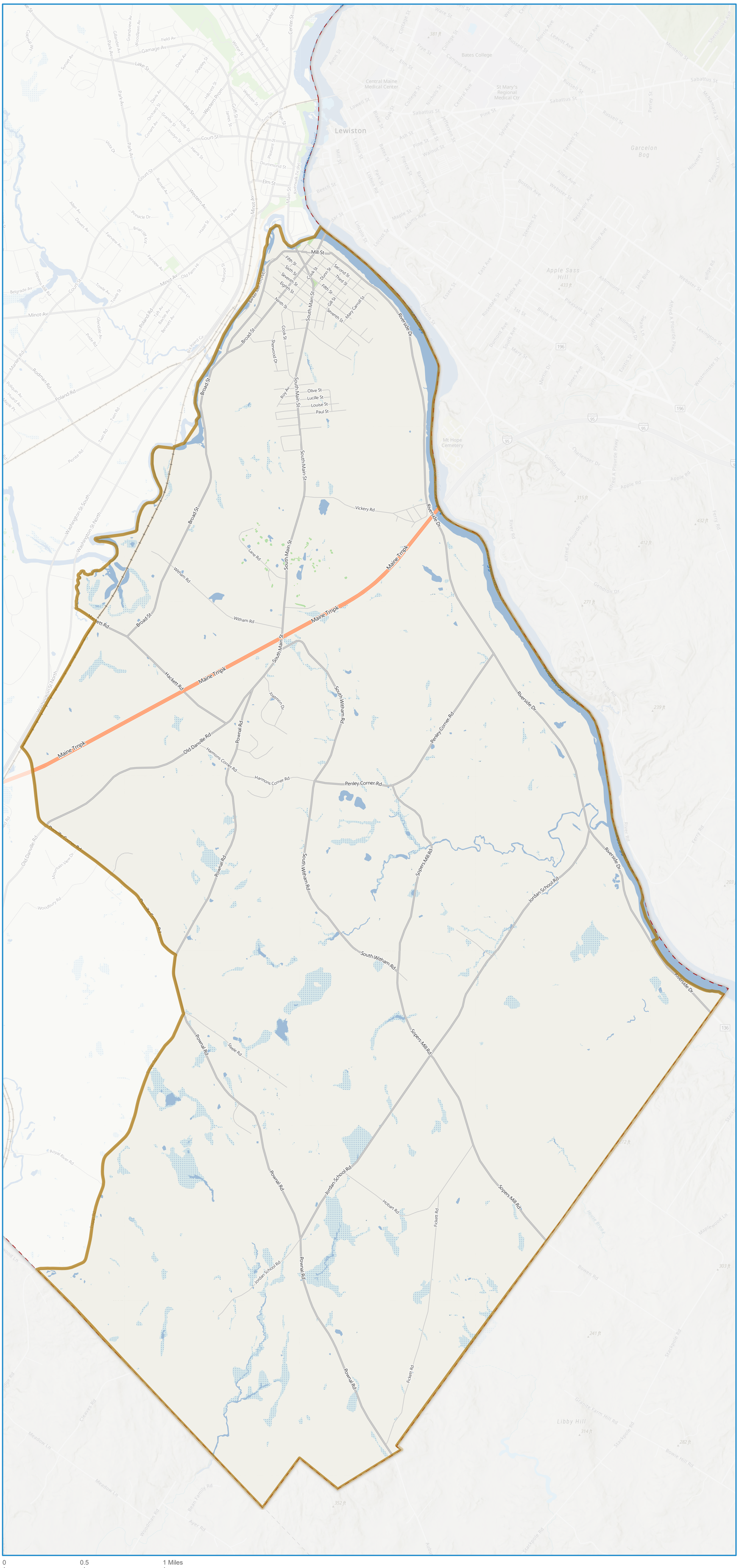
Ward 5


Lewiston
Bates College
Central Maine Medical Center
St Mary's Regional Medical Ctr
Garcelon Bog
Apple Sass Hill
Mt Hope Cemetery
Mill St
Fifth St
Sixth St
Seventh St
Eighth St
Ninth St
Cook St
Dunn St
Second St
Third St
Gill St
Mary Carroll St
South Main St
Riverside Dr
Broad St
Sherwood Dr
Roy Av
Olive St
Lucille St
Louise St
Paul St
Vickery Rd
Lane Rd
Witham Rd
Maine Trnpk
Hackett Rd
Hewett Rd
Old Danville Rd
Harmons Corner Rd
Penley Corner Rd
Pownal Rd
South Witham Rd
Sopers Mill Rd
Jordan School Rd
Hobart Rd
Fickett Rd
Steele Rd
Joanmon Dr
Washington St South
Washington St North
Minot Av
Court St
Lake St
Western Prom
Park Av
Poland Rd
Manley Rd
Rodman Rd
Pownal Rd
Stackpole Rd
Libby Hill
Granite Farm Hill Rd
Bowie Hill Rd
Bowen Rd
Meadow Ln
Woodman Rd
Bean Family Rd
Ayer Rd
Cleaves Rd
Royal River Rd
Woodbury Rd
Mountain View Dr
Old Danville Rd
Penley Corner Rd
Jordan School Rd
Sopers Mill Rd
Riverside Dr
Maine Trnpk
196
95
136
202
Skillings Corner
Auburn Rd
Turner Rd
Center St
Main St
Thorncrag Bird Sanctuary
Center Minot
Minot
New Gloucester
South L
Empire Rd
Intervale Rd
Bald Hill Rd
Maplewood Ln
House Brook
Ferry Rd
River Rd
Alfred A Plourde Pkwy
Apple Rd
Goddard Rd
Challenger Dr
Gendron Dr
Hillview Ln
Pagoma Ln
McNamara St
Sherbrooke Ave
Montello St
Sabattus St
Russell St
Pine St
Walnut St
Ash St
Lisbon St
Park St
Pierre St
Bartlett St
Fernwell St
Sylvan Ave
East Ave
Allen Ave
Webster St
Reservoir Ave
Hilltop Ave
Ashmount St
Jans Blvd
Ridge Rd
Lexington St
Alfred A Plourde Pkwy
Hillmount Dr
Sweatt St
Jeffrey St
Pleasant St
Bixby Rd
Dumont Ave
Mary St
Martin Dr
Jones Ave
Irwin St
Eustis St
Westminster St
Mill St
Beech St
Maple St
Adams Ave
Locust St
Lincoln St
Stevens St
Essex St
Rosedale St
Acadia Ave
1st St
Biron Ave
Pleasant St
Jeffrey St
Hillmount Dr
Sweatt St
Irwin St
Eustis St
Lexington St
Alfred A Plourde Pkwy
Webster St
Ridge Rd
Jans Blvd
Ashmount St
Boston Ave
Allen Ave
Webster St
Reservoir Ave
Hillview Ln
Pagoma Ln
McNamara St
Sherbrooke Ave
Montello St
Sabattus St
Russell St
Perley St
Garcelon Bog
Pine St
Walnut St
Ash St
Lisbon St
Park St
Pierre St
Bartlett St
Fernwell St
Sylvan Ave
East Ave

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 83-06062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Project Support You - Auburn

Information: This is a request to allocate $300,000 in ARPA funds. Please see attached PowerPoint which outlines the "Project Support You-Auburn" program being proposed by Public Health along with supporting data showing the need for this program submitted by our police and fire departments. The program will address the needs of community members experiencing homelessness and housing instability, poor mental health, substance use disorders, and instability while supporting our first responders who are currently on the front lines encountering these complex issues in our community every day.

City Budgetary Impacts: None

Staff Recommended Action: Staff is requesting that this item is postponed until the meeting of August 1, 2022.

Previous Meetings and History: Originally presented at a City Council workshop on 3/21/2022. Order 83-06062022 was added to the June 6, 2022 council agenda. The order was tabled to allow for additional information to be included in the packet.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: PowerPoint overview of the program
Job Description of a similar position to be funded

PSY Co-Responder Program

Public Health

Project Support You - Auburn

We are here to request a total of $300,000 in ARPA funds for a two-year pilot of "Project Support You - Auburn," (PSY Auburn)

The program design is based on best practices from other programs used nationally to better meet the needs of individuals struggling with homelessness, mental illness, substance misuse, and access to care while reducing the number of calls for service our police and paramedic teams respond to from frequent system utilizers through diversion to longer term, sustainable, and appropriate support services.

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Program Description

PSY is a "boots on the ground" service that would employ a TCMHS employee to be shared between AFD and APD to respond ***with*** our first responder teams in real time.

The PSY worker will follow-up on needs identified by AFD and APD that would benefit individuals utilizing services and in need of community supports.

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Maine Shared CHNA

The Maine Shared Community Health Needs Assessment (MSCHNA) report data for 2021 have been compiled, and the data on the state's interactive portal is now available.

The interactive portal can be accessed here: https://www.maine.gov/dhhs/mecdc/phdata/MaineCHNA/maine-interactive-health-data.shtml

Social Determinants of Health

Indicator	Androscoggin	Maine
Individuals living in poverty	**2015-2019 11.8%**	2019 10.9%
Children living in poverty	**2019 15.3%**	2019 13.8%
Median household income	**2015-2019 $53,509**	2019 $58,924
Households that spend more than 50% of income towards housing	**2015-2019 10.9%**	2015-2019 12.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Social Determinants of Health

Indicator	Androscoggin	Maine
Housing insecure (high school students)	**2019** **4.4%**	2019 3.3%
Adverse childhood experiences (high school students reporting at least four out of nine ACEs)	**2019** **22.5%**	2019 21.3%
Children eligible for free or reduced lunch	**2021** **60.9%**	2021 38.2%

Source: Maine Interactive Health Data: [Maine Interactive Health Data | MeCDC | Maine DHHS](), accessed 2/1/2022

Mental Health

Indicator	Androscoggin	Maine
Depression, current symptoms (adults)	**2015-2017 11.2%**	2017 9.6%
Anxiety, lifetime	**2015-2017 26.3%**	2017 21.8%
Ratio of population to psychiatrists	**2019 19,079.0**	2019 12,985.0

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Mental Health - Youth

Indicator	Androscoggin	Maine
Sad/hopeless for two weeks in a row (high school students)	**2019 34.1%**	2019 32.1%
Seriously considered suicide (high school students)	**2019 18.7%**	2019 16.4%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes – Mental Health

Indicator	Androscoggin	Maine
Mental health emergency department rate per 10,000 population	**2016-2018** **278.8**	2018 170.6
Suicide deaths per 100,000 population	**2015-2019** **18.9**	2019 19.4

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Chronic heavy drinking (adults)	**2015-2017 6.5%**	2017 8.9%
Past-30-day alcohol use (high school students)	**2019 18.2%**	2019 22.9%
Binge drinking (high school students)	**2019 6.2%**	2019 8.2%
Past-30-day marijuana use (adults)	**2017 15.9%**	2017 16.3%
Past-30-day marijuana use (high school students)	**2019 21.5%**	2019 22.1%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Past-30-day misuse of prescription drugs (high school students)	**2019** **5.5%**	2019 5.0%
Past-30-day misuse of prescription drugs (middle school students)	**2019** **4.1%**	2019 3.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
Drug-induced deaths per 100,000 population	**2015-2019 28.4**	2019 31.3
Alcohol-induced deaths per 100,000 population	**2016 20.1**	2019 11.3
Overdose deaths per 100,000 population	**2020 47.9**	2020 37.3

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
"Overdose emergency medical service responses per 10,000 population"	**2020** **108.1**	2020 76.7
"Opiate poisoning emergency department rate per 10,000 population"	**2016-2018** **9.7**	2018 8.6
"Opiate poisoning hospitalizations per 10,000 population (ICD-10)"	**2016-2018** **1.5**	2018 1.2

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Fatal Overdoses in Androscoggin County

2009	17
2010	15
2011	12
2012	17
2013	14
2014	27
2015	27
2016	35
2017	24
2018	34
2019	33
2020	52
2021	68*

2009 - Q1 2021	
Percent of population	8.06%
% of total fatal overdoses	9.34%
Total incidents per 1,000 people	2.89

2009 - Q1 2021 by age group	
0-20	2.13%
21-30	15.85%
31-40	26.83%
41-50	26.22%
51-60	22.26%
60+	6.71%

*Notes: 2021 total only includes data through November, and contains both suspected and confirmed overdoses. The data is still being confirmed through toxicology.

Data from Maine Drug Data Hub: www.mainedrugdata.org was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center at the request of Catherine Ryder, CEO at TCMHS.

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Housing insecure youth

For the 2021-2022 school year, as of February 6, 2022, Auburn School Department's McKinney-Vento liaison had identified **58 confirmed students eligible for McKinney-Vento services** and another 22 students that were yet to be confirmed eligible.

The McKinney-Vento Act under federal law ensures homeless youth have access to educational stability and offers resource assistance such as transportation to and from school.

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Chief Chase

"Our role as an EMS organization is not only to respond to medical emergencies, but to participate in the overall improvement of the health of our community. Substance use disorders and overdose deaths are quickly become the paramount public health issue. As an organization, and as a City, we need to find additional ways to address this growing public health crisis. This includes dedicating staff and resources with the specialized training needed to support those struggling with substance use disorders."

Robert Chase
Fire Chief, City of Auburn

2020 Operational Impacts: Auburn Fire Department High System Users

Operational Impacts of Auburn Fire Department High System Users

Address	Total Responses	Transports	Time in Hours Dedicated to Specific Patient*	Ambulance Mileage Incurred*	Notes
CASE 1	34	30	19.6	128	Repeat indication of ETOH use
CASE 2	29	28	14.2	103	Repeat Non-Emergent Complaints
CASE 3	29	27	17.5	95	Repeat Requests for Detox via EMS
CASE 4	20	20	12.3	76	Repeat Behavioral Health Requests
CASE 5	16	0	5.1	X	Repeat Requests for Lift Assists
CASE 6	16	10	5.3	41	Repeat Tox/Behavioral Health
Total Impact	**144**	**115**	**74**	**443**	

*Approximate Values

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2020 data provided by Chief Chase on 11/3/2021 to Jennifer Edwards

2020 AFD Runs by Provider Impression – CFS that may benefit from PSY

Situation Provider Primary Impression (eSituation.11)	Number of Runs	Percent of Total Runs
Adult - No findings or Complaints (Z00.00)	274	35.63%
Behavioral - Psychiatric Episode (R45.89)	131	17.04%
Behavioral - Anxiety (F41.1)	91	11.83%
Tox - Alcohol use - with intoxication (F10.92)	87	11.31%
Tox - Overdose/Drug Ingestion (Non Opioid) (itICD.047)	36	4.68%
Tox - Opioid use - with Coma (F11.92)	35	4.55%
Child - No findings or Complaints (Z00.129)	31	4.03%
Behavioral - Suicide attempt (T14.91)	28	3.64%
Tox - Alcohol use (F10.9)	19	2.47%
Tox - Alcohol Use - withdrawal (F10.239)	16	2.08%
Tox - Opioid use - without Coma (F11.9)	10	1.30%
Behavioral - Excited Delirium (R41.0)	4	0.52%
Tox - Cannabis use (F12.9)	3	0.39%
Tox - Psychoactive substance related disorders (F19)	1	0.13%
Tox - Psychoactive substance use (F19.9)	1	0.13%
Tox - Stimulant related disorder (F15)	1	0.13%
Tox - Tricyclic antidepressants Overdose (T43.014)	1	0.13%
	Total: 769	**Total: 100.00%**

Chief Moen

“Our substance abuse disorder rates are growing. APD is responding to more and more overdose incidents. Dedicated staff to address this growing epidemic is vital to the safety of our City.”

Jason D. Moen

Chief of Police, Auburn Police Department

APD Data

Year	POL-PCF Medical/Mental	Psychiatric Problem	Psychiatric Problem - Alpha Ov	Total
⊞ **2017**	**60**	**17**	**5**	**82**
⊞ **2018**	**485**	**132**	**20**	**637**
⊞ **2019**	**553**	**115**		**668**
⊞ **2020**	**474**	**141**		**615**
⊟ **2021**	**364**	**146**		**510**
January	28	14		**42**
February	22	11		**33**
March	38	15		**53**
April	26	13		**39**
May	38	7		**45**
June	38	18		**56**
July	37	16		**53**
August	43	12		**55**
September	38	17		**55**
October	55	23		**78**
November	1			**1**
Total	**1936**	**551**	**25**	**2512**

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APD OD Data: 2020-2021

In 2021, Auburn PD responded to 55 overdoses at 51 calls for service; there were 54 overdoses in 2020.

- Seven of these 55 overdoses are known to have resulted in a death.
- 28 doses of Narcan were administered directly by Auburn PD to 24 victims at 22 calls for service.

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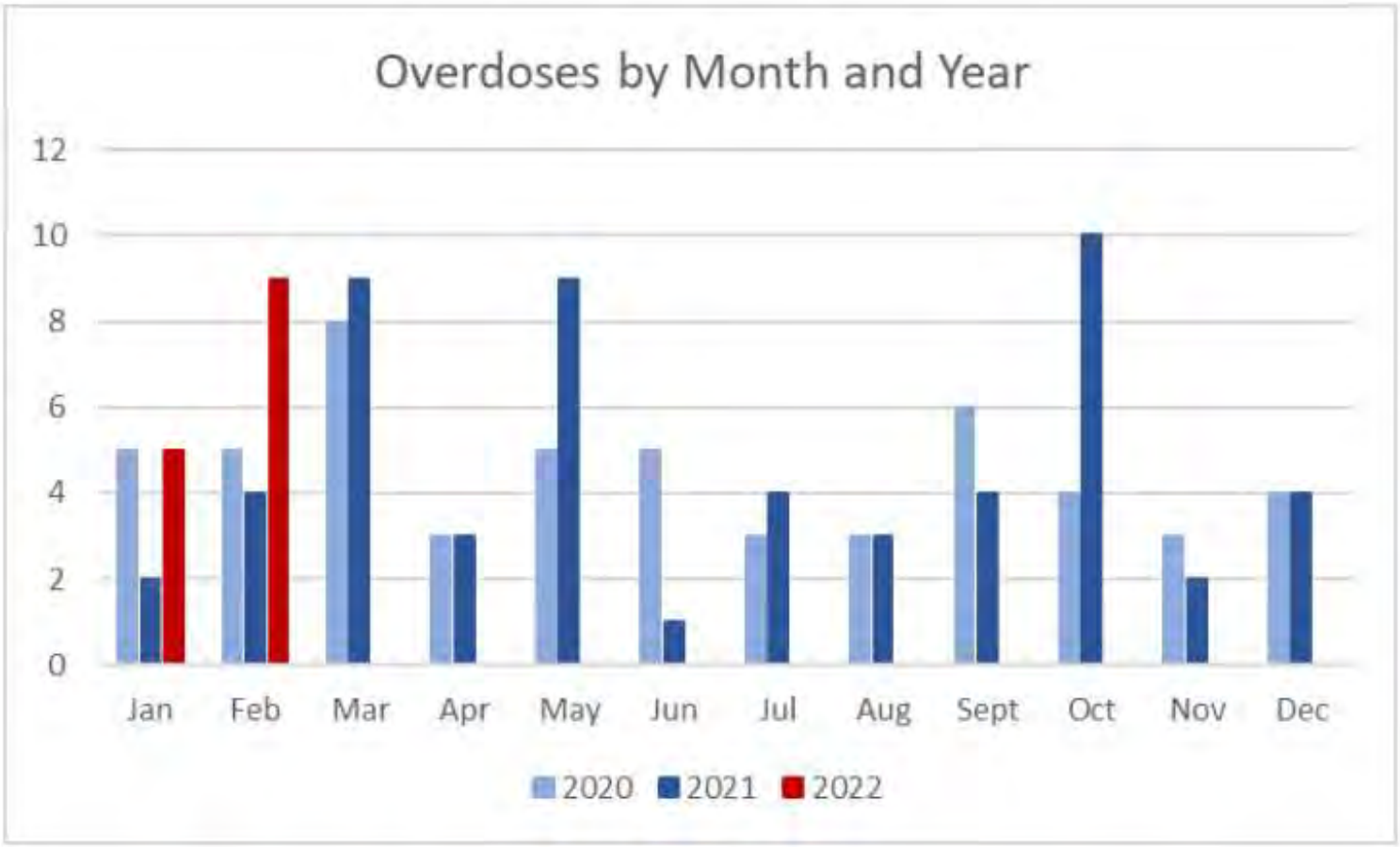
Feb. 2022 APD Data



Count of Overdoses, by month and year

Source: APD Overdose Report – February 2022, provided by Lt. Harrington of APD

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Currently…

- APD officers have been carrying Narcan since 2018
- APD's participation in Androscoggin County's Drug Take Back days dates back to 2010.
- The med drop box offers a safe place to drop off unused medications in the Auburn police department lobby, which can help prevent prescription drug misuse

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Homelessness Crisis Protocol

This program would also come at a critical time for APD, as they work to comply with the new Homelessness Crisis Protocol provided by the Attorney General to meet requirements of 17-A M.R.S. §18 [PL 2021, c. 393, §1].

Our officers regularly respond to calls from community members concerned about unhoused individuals in our community, living on the streets, tenting on private or public property, and looking for a place to stay warm during the cold winter months when the limited shelters available in Lewiston and Auburn are full.

Link to statue: Title 17-A, §18: Homelessness crisis protocol (mainelegislature.org)

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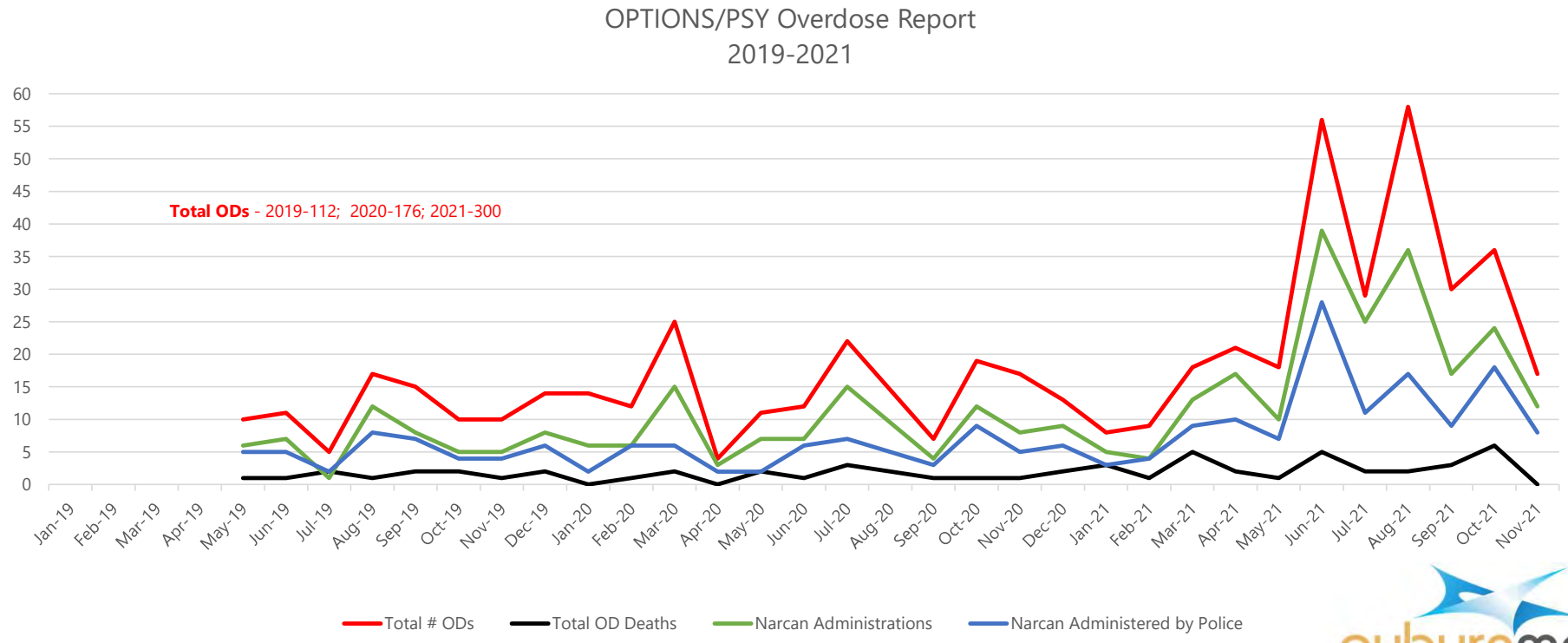
TCMHS Options/PSY Data



PSY success in Lewiston

Since 2018, the Lewiston Police Department has successfully employed this model – embedding mental health professionals from Tri-County Mental Health Services (TCMHS) within the police department to respond with and follow-up on needs in the community.

PSY-Auburn would be customized to meet the needs of Auburn, with a TCMHS PSY worker being shared between the Auburn Police Department and the Auburn Fire Department and working in close collaboration with the Public Health Manager. The PSY worker would remain an employee of TCMHS, and thus the program would also benefit from all the resources and programming of TCMHS.

Serving those who served…

According to SAMHSA's 2019 National Survey on Drug Use and Health in Veteran Adults:

- 3.9 Million (adult) Veterans had a mental illness and/or a substance use disorder (SUD), up 6.5% over 2018
- Of these, 2.3% (481K) struggled with both
- 1 in 4 struggled with illicit drug use
- 4 in 5 struggled with alcohol use
- 1 in 13 struggled with both
- Of those struggling with a mental illness, SAMHSA reported 1 in 4 had a severe mental illness.

Data Source: 2019 National Survey on Drug Use and Health: Veteran Adults. Published in September 2020 by the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, pg. 4. Accessed 3/11/2022: https://www.samhsa.gov/data/sites/default/files/reports/rpt31103/2019NSDUH-Veteran/Veterans%202019%20NSDUH.pdf

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Project Support You provides connection.

"Abby is pregnant, homeless, and using heroin daily. As a result of a call from a soup kitchen volunteer, TCMHS staff reach out to Abby to help connect her to medical care and emergency shelter housing. After repeated attempts to get her into residential treatment initially fails, TCMHS staff continue assertive contacts with her over ensuing weeks until Abby successfully agrees to detox treatment."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

Project Support You provides hope.

"Mary lived in a family that has experienced intergenerational trauma. She grew up in a home with an alcoholic father and began experimenting with substances in her early teens, leading to serious use as she moves through her teens into her 20s. Estranged from her family, Mary's substance misuse leads to repeated involvement with law enforcement, homelessness, and interactions with child protective services. In an effort to regain custody of her child, she enters a community program where she receives supports and job training. Despite her best efforts, exacerbated by the trauma experienced due to losing custody of her child, she relapses, becomes homeless again, and is arrested. TCMHS staff intervene to help her to access treatment, healthcare, job training, and housing. With their help, she restarts her path to recovery."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

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Treatment works, but it takes resources.

"It is vital to remember, always, that treatment works and recovery is possible. Just as we would not give up hope or fail to help someone with diabetes, cancer or heart disease, the same is true for those who live with mental illness or a substance use disorder. We can and must bring all resources available to bear, and create them when they are not, to help those in need. Every life is worth saving."

Catherine R. Ryder, LCPC, ACS
Chief Executive Officer, Tri-County Mental Health Services

Quote taken from Catherine Ryder's support letter for PSY-Auburn.

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Budget:

DESCRIPTION:	YEAR 1	YEAR 2	TOTAL
Tri-County Mental Health Services 1.4 FTE	98,000	98,000	196,000
Software, data analysis, and administrative support.	50,000	50,000	100,000
Misc. Program Supplies/Expenses	2,000	2,000	4,000
Total	150,000	150,000	300,000

The $98,000/year amount pays for a full-time position – including PTO and holidays. It provides some on-call for nights, weekends, and PTO time. It also pays for supervision, a laptop, encrypted phone, travel, and 20% overhead for Tri-County Mental Health Services.

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Position Description:
Co-Responder

Classification: Non-Exempt	**Grade Level:** Non-Exempt 7
Reports To: Chief Executive Officer or Manager	**Department:** Substance Use Disorder Services

GENERAL SUMMARY:

The Co-Responder provides OUD/SUD overdose response, screening, behavioral health crisis de-escalation, assessment, screening, referral to community treatment services and resources, system navigation, short-term SUD and behavioral health interventions, and aid in completion of the State's Medicaid program application for uninsured population, in collaboration with local law enforcement.

ESSENTIAL JOB FUNCTIONS:

- Demonstrates commitment to the mission of the agency with a strong understanding and respect for the goals of agency activities.
- Responds to SUD/OUD-related emergency calls along with law enforcement, or other first responder agencies, prioritizing nonfatal overdose calls and the highest needs requests for support, as able.
- Responds to behavioral and mental health related emergency calls along with law enforcement, or other first responder agencies, prioritizing competing demands through triage, when possible.
- Coordinates with a Recovery Coach, Peer, or Patient Navigator, as available, to provide post-overdose response and support to overdose survivors within seventy-two (72) hours after a non-fatal overdose event, to include: provision of information around Harm Reduction, treatment, and recovery support services that are available.
- Coordinates with community resources and client treatment team, as available, to provide post response and support. Provision of information around community resources, services, supports and other options for services that are available.
- Conducts ASAM level of care Assessments as appropriate.
- Gathers all Releases of Information as required by law to remain in compliance with HIPAA guidelines, including CFR 42 Part 2.
- Participates in technical assistance sessions which will be provided by the Maine Medical Association and informed by the Behavioral Health Response unit within the Portland Police Department.

ESSENTIAL JOB FUNCTIONS (continued):

- Provides anti-stigma and SUD informational sessions.
- Provides system navigation assistance to individuals in need of necessary support services.
- Provides referrals to appropriate community-based treatment and recovery services.
- Conducts follow up visits to clients who present in frequent need to establish, build and maintain relationship and rapport with a supportive, ongoing presence.
- Completes and sends in CradleME referrals for any pre-natal or post-partum women that presents as an individual in need.
- Provides linkage to syringe service programs and other Harm Reduction sites as available and facilitates connectivity to a Federally Qualified Health Center (FQHC) or other provider site that can provide human immunodeficiency virus (HIV) and Hepatitis testing.
- Provides Naloxone kits and Naloxone administration training in the specific type of Naloxone being provided to the individual and/or affected others during the post-overdose follow-up.
- Provides Fentanyl test strips, training and education to clients as prevention.
- Determines if the individual is a Person in Crisis and coordinates response with Crisis Intervention Workers.
- Works in collaboration with the law enforcement agencies in their catchment area to utilize Overdose Detection Mapping Application Program (ODMAP) and be signed up to receive overdose alerts for notification of incidents occurring during off-hours and provides follow-up with the individual in need during normal working hours.
- Provides linkage to further long-term Peer and/or Recovery Coach services for individuals in need that are assessed as having a SUD.
- Supports linkage to affordable housing and referral to programs that can support and assist people experiencing homelessness.

OTHER DUTIES AND RESPONSIBILITIES:

- Communicates effectively both verbally and in writing, establishes positive public relations and interacts effectively with a diverse array of professionals and clients.
- Maintains appropriate boundaries and displays respect and courtesy to all internal and external customers.
- Participates in training to maintain or enhance job skills, including undergoing law enforcement orientation and training, as necessary.
- Demonstrates patience, caring, compassion, and sensitivity toward clients.
- Completes and submits required documentation in a timely manner and according to policies and procedures.
- Adheres to the agency's Organizational Standards for Performance (see attached).
- Maintains compliance with documentation in medical record in a timely manner by completing all required documentation on time and filing additional documentation, as necessary
- Adheres to the agency's Risk and Safety Management Programs.
- Ensures that confidentiality is maintained at all times in accordance with federal, state, and agency standards.
- Functions in a cost-effective manner with regard to the utilization of time, supplies and other agency resources.
- Attends meetings and supervisions as required and necessary for the position.
- Promotes and fosters effective relations, both inside and outside of the agency.
- May perform other related duties as required.

ADDENDUM:

OPTIONS/Substance Use Co-Responder

- Funded by Maine Grant for Androscoggin county; primary role of overdose/substance use response.

ADDENDUM (continued):

Co-Responder

- Funded by the City of Lewiston; primary role of mental health support response.

Project Support You Co-Responder Lead Role

- Support, coach and mentor onboarding staff of the PSY and OPTIONS programs as well as the Peer Navigator role
- Provide resources, encourage networking, make introductions to key colleagues and clients of these programs.
- Support staff in documentation and reporting, checking to ensure accuracy and timeliness.
- Support mandatory training with PD, Agency, State and others as appropriate.
- Co-facilitate group supervision with management.

POSITION REQUIREMENTS:

Duties require knowledge of Substance Use Disorders and Dual Diagnosis treatment services equivalent to completion of a Bachelor's degree or equivalent combination of education and experience.

Must be willing and eligible to pursue and obtain minimum of CADC certification within first year of employment. Must possess a valid State of Maine driver's license.

COMPETENCIES:

Detail-oriented with good organizational and time management skills

Ability to manage multiple priorities and tasks, and consistently meet deadlines.

Ability to demonstrate good problem solving and critical thinking skills.

Ability to work effectively on a multi-disciplinary team.

Ability to assess situations for personal and client safety.

Ability to respond effectively in crisis situations.

Proficient with the use of a computer and job-specific software applications

WORKING CONDITIONS/PHYSICAL DEMANDS:

Normal office environment, not subject to extremes in temperature, noise, odors, etc.; may also be subjected to unpredictable environments with extremes in temperature, noise, odors, weather conditions, etc.

Regular use of computer keyboards, telephone and operating office machines, requiring eye-hand coordination and finger dexterity.

Must be willing to abide by policies and procedures of Police Department and follow directive of co-responding officer, wear flack jacket and put safety at forefront at all times.

WORKING CONDITIONS/PHYSICAL DEMANDS (continued):

Occasional lifting and carrying of supplies, files, documents, records, etc.

May be asked to operate a motor vehicle in all types of weather.

The above statements are intended to describe the general nature and level of work being performed by people assigned to do this job. The above is not intended to be an exhaustive list of all responsibilities and duties required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

***External and internal applicants, as well as position incumbents who become disabled as defined under the Americans With Disabilities Act, must be able to perform the essential job functions (as listed) either unaided or with the assistance of a reasonable accommodation to be determined by management on a case by case basis.**

_____ _____

Employee's Signature Date

_____

Employee's Name (*please print*)

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

TRI-COUNTY MENTAL HEALTH SERVICES

Organizational Standards of Performance

STANDARD #1: Organizational Perspective

All employees demonstrate an understanding of how individual job performance and continuous quality improvement advances the Tri-County Mental Health Services mission.

Expectation:

- Understanding the connection between the agency's mission, continuous quality improvement and personal performance.
- Demonstrating a philosophy and work ethic that are consistent with agency's vision, mission and guiding principles.
- Perform duties in accordance with applicable regulations, laws and agency policy and procedures.

STANDARD #2: Professional, Ethical and Respectful Behavior

All employees act in a manner that demonstrates a commitment to professional ethical and respectful behavior.

Expectation:

- Interactions are guided by Trauma Informed practices and principles and are respectful, professional.
- Kind and courteous behavior that promotes positive interactions and engagement.
- Engage in direct communication and problem solving.
- Criticizing the agency and/or other employees to others (i.e. the "rumor mill") is actively discouraged. Continuously making an effort to squelch rumors and other disrespectful behaviors.
- Confidential information, whether received in the course of work or received inappropriately, is not shared with others.
- All employees know and understand the code of ethics of their respective professions

STANDARD #3: Confidentiality

All employees act in a manner that demonstrates an understanding of confidentiality.

Expectation:

- All employees can identify and discuss the parameters of confidentiality
- Confidential information, whether received in the course of work or inadvertently, is not shared with others
- All employees share a responsibility for safeguarding confidential information

STANDARD #4: Teamwork

All employees participate in an environment where success is created by working together collaboratively.

Expectation:

- Building collaborative relationships, both internally and externally.
- Accepting and using constructive feedback from both peers and supervisors.
- Collaborating to improve services and processes, and solve problems.
- Sharing responsibility and accountability for team goals.

STANDARD #5: Skill and Ability

All employees take advantage of training and educational opportunities to enhance skills, productivity, and quality of work.

Expectation:

- Seeking assistance and support when necessary.
- Accepting guidance from supervisor and implements decisions made with supervisor.
- Actively seeking training opportunities, through supervision and other sources, to enhance ability to perform all aspects of position.

STANDARD #6: Knowledge of Community

All employees use knowledge of current community needs to work effectively with community groups.

Expectation:

- Building and maintaining positive relationships with the community.
- Articulating and explaining accurately the full range of agency services and resources.
- Presenting the agency to the community in a positive, proactive and appropriate manner.
- Uses client and community feedback to improve service delivery.

Created Jun-02; Last revised Sept-09; June 2014

ORDER 83-06062022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn allocates Three Hundred Thousand Dollars ($300,000) of ARPA Funding to create a two-year pilot program, “Project Support You – Auburn,” ensuring conformance with the ARPA Rules and Guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Ordinance:** 16-06062022

Author: Katherine Cook, Planning Coordinator

Subject: First reading of zone change request from Hammond Lumber, 278 Poland Road

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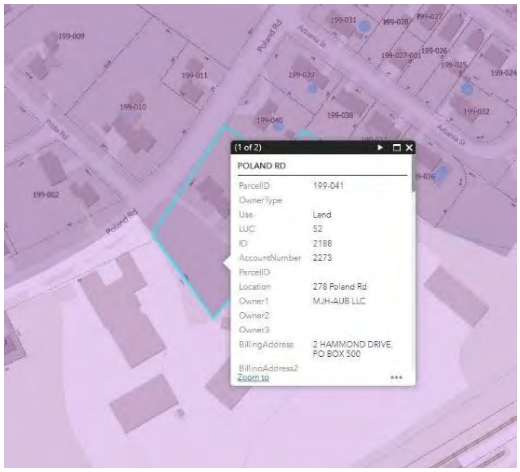


Information: Hammond Lumber Company (owner) is requesting a zone change of the 1.75 +/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel form Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, SEC.1445-1448. The Planning Board reviewed this request brought forth by a petition with the information and the recommendations noted in the staff report.

The Planning Board reviewed this proposal, held a Public Hearing and recommended that City Council reject Hammond Lumber's requested zone change on 1.75 acres +/- at 278 Poland Rd (PID 199-041) from Suburban Residential (SR) zone to Industrial (ID) zoning noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is a requested for proposed parking. Their motion is included in the packet.

Their recommendation was based on discussion between the applicants, the Planning Board, and members of the public and specified in the May 10th Planning Board Meeting minutes and on the YouTube Recording for this meeting. The City Council tabled this item at the June 6, 2022 Meeting to be reconsidered at the July 18 meeting to allow the business to meet with neighbors and address concerns related to buffering and vehicles and any other neighborhood concerns. It is unusual to address buffering as part of a zone change and this is usually addressed during a later site plan review, however, the business met with staff and neighbors to better understand concerns (meeting minutes attached). The business provided an improved buffering plan that they are committed to implementing as part of site plan review if they are allowed to move forward. Staff and the Planning Board can make buffering and road frontage improvements a requirement as part of that process if the zoning moves forward.

City Budgetary Impacts: None.

Staff Recommended Action: Hold the first reading and hold a public hearing for the zone change at 278 Poland Road, Parcel I.D. 199-041 from Suburban Residential (SR) District to Industrial (ID) District. Vote on First reading.

Previous Meetings and History: May 10th 2022 Planning Board, June 6th CC meeting, Neighborhood meeting, June 30, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Planning Board Memo, May 10th, 2022, Hammond Lumber Staff Report, May 10th, Application from Hammond Lumber, Hammond Lumber site plan, Buffer Plan, public site walk through minutes, public meetings sign in sheet.

SEBAGO TECHNICS

CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

City of Auburn
Zone Change Request

For:

Hammond Lumber

282 Poland Road
Auburn, Maine 04210

Applicant:
Hammond Lumber Company
282 Poland Road,
Auburn, ME 04210

Prepared by:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

April 2022

April 08, 2022

City of Auburn
Planning Board
60 Court Street
Auburn, Maine 04210

Zone Change Request
278 Poland Road, Auburn ME 04210

Dear Planning Staff,

On behalf of Hammond Lumber Company, we are pleased to submit the following documentation for a zone change request to the City of Auburn. The requested zone change is for an approximately 1.75-acre parcel located at 278 Poland Road and identified by the City of Auburn as lot 199-041., and is within the City's Suburban Residential (SR) Zone and borders Auburn's Industrial (ID) Zone. The property was previously developed for residential use and consisted of a single-family house and barn. Hammond Lumber purchased the land, and in 2019, the buildings on the parcel were demolished and removed from the property. Hammond Lumber is now requesting the zone change of this property from the SR Zone to the ID Zone to allow the expansion of their development onto this parcel.

The subject parcel is located along the frontage of the Hammond Lumber site on Poland Road and abuts the entire front face of Hammond's primary and largest warehouse building. Adjacent residential development is located north across Poland Road and downhill to the east. There is an existing tree line along the eastern boundary of the property that extends from Poland Road to the rear of the Hammond Lumber development. The remaining area of the parcel is open lawn that is surrounded on three sides by Poland Road and Hammond Lumber's access drive and buildings.

With the aforementioned factors in mind, a zone change of lot 199-041 from Suburban Residential to Industrial will not pose any adverse effects to the Poland Road community or to the city as a whole A zone change will allow Hammond Lumber to utilize this area to its full potential by incorporating it into their existing development. The additional frontage will give Hammond Lumber the ability to create a more visually pleasing entrance along Poland Road that better matches the other industrial and commercial properties in the area. To assist with your review of this request, we have included the proposed design for how Hammond Lumber intends to utilize this site if the zone change is approved.

We hope the attached application and materials we have provided are sufficient information for the City of Auburn to allow Hammond Lumber Company's zone change request. The goal of Hammond Lumber Company is to obtain the zone change first, and then proceed with an application to the City of Auburn for improvements to the front façade of the existing retail building, a new parking lot with associated stormwater treatment, and much needed improvements to the frontage along Poland Road. Should you have any questions, or need additional information, please call James Seymour, PE at Sebago Technics, Inc. at 207-200-2083.

Sincerely,

SEBAGO TECHNICS, INC.

James R. Seymour, P.E.
Sr. Project Manager

Materials Enclosed:

- Rezoning Petition & Signatures
- City Zoning Maps with Subject Parcel Identified
- 500' Abutters List
- Full Size Plans
    - Existing Conditions Plan
    - Preliminary Site Plan

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Suburban Residential (SR) zoning portion of the zoning map on (PID 199-041) to allow for a zone change of SR to ID to support Industrial opportunities in an otherwise residential zoned neighborhood along Poland Road. The property has been owned by Hammond Lumber for a number of years. As the ID district is the adjacent use the current owner would like to have the zoning match their existing/adjacent property as they will be absorbing the property into their larger existing parcel. The abutting lot in common is currently zoned Industrial Development and is owned in common by Hammond Lumber Company entity. The home on the parcel located in the SR was demolished in 2019 and today it is an empty parcel. As the City is currently undergoing a zoning reorganization, this is a great time to include this adjacent parcel (PID 199-041) as part of the ID zone to match existing zone of the current owner (Hammond Lumber)

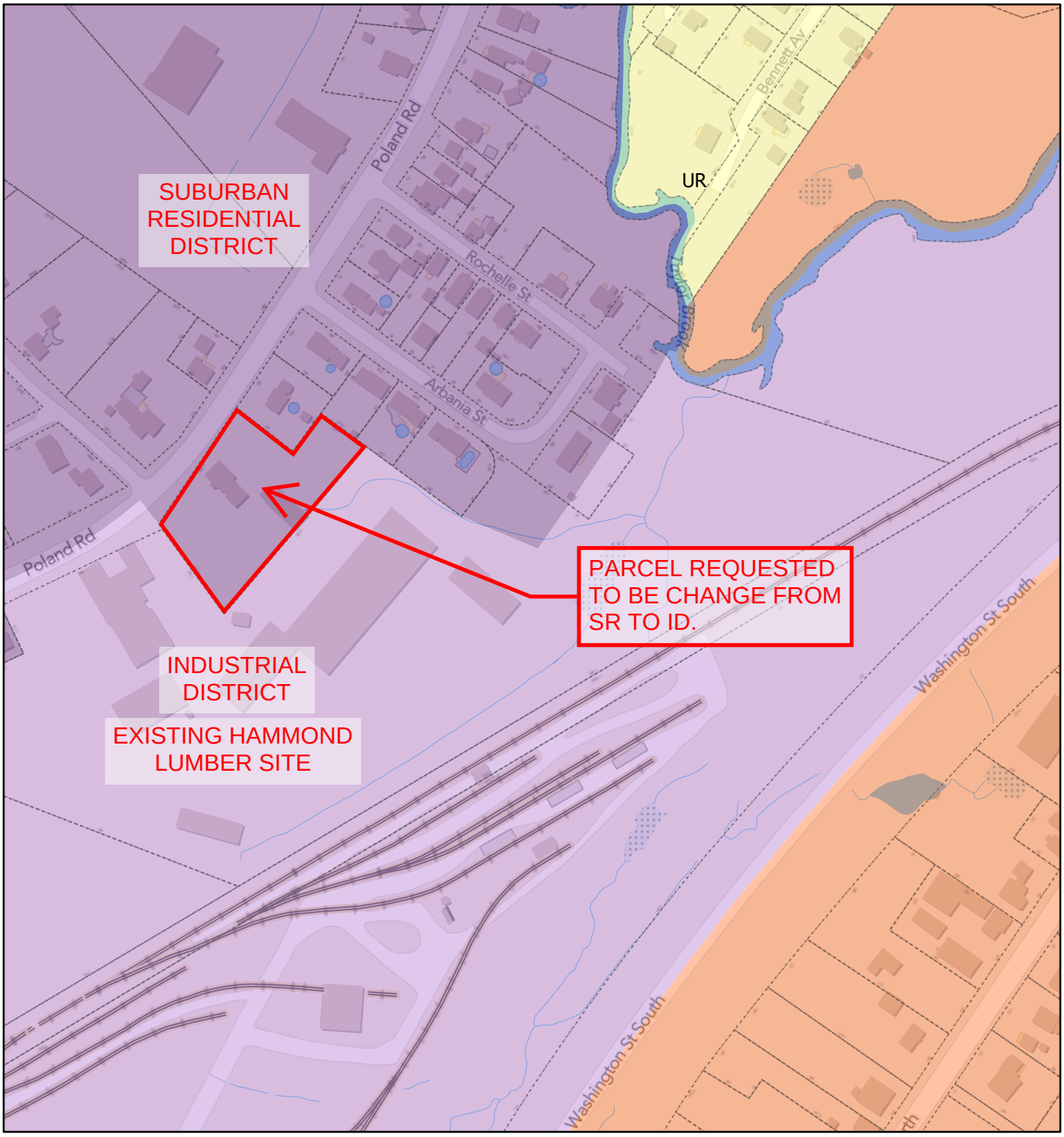
One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as Industrial. The lot is outside the floodplain.

Print Name	City of Auburn Legal Address	Signature
Pamela J Haskell-Drumm	387 Court St Apt 2	
Timothy J. McDonough	211 Fairway Dr	
David E Schenk II	37 norther avenue Heights Apt 25	
Brett Hackett	155 Fletcher Rd	
Kevin Hackett	155 Fletcher Rd.	
MICHAEL BARRETT	1067 HOTEL RD	
JIM TIMBERLAKE	75 VBRIARCLIFF	
Joe Delong	1480 Pownal Rd	
Patrick warden	100 vickery Rd	
ROBERT TURGEON	67 MAPLE PT AUB	
Fredrick D. McCann	64 W. Ham Rd	
Susanne Macomber	45 Jefferson St	
Brooke Peters	120 Madison St	
Dolores Pulk	78 Madison St. Aub	
Jerome Smith	10 fairview ct. Aub	
Chris Hobbell	117 Beech Ave Aub	
Michael Lemay	50 Broadview Ave	
Gary LaPrell	45 Arbania St.	
Michael Turgeon	38 Zoar street	
David Lepage	14 Holly St	
Zachery Bisbee	37 Third St Auburn ME	
Cody MCAllister	60 Mountain View Drive Aub	

Peter Fordham	747 minot Ave	Peter Fordham
RONALD GAGNE	230 HOTEL RD	Ronald Gagne
John Coutts	37 Broadview AVE	John A. Coutts
Nicholas Nolan	1889 Riverside Drive	Nicholas Nolan
PBA Inc	174 WYMAN RD	PAUL A. TARDIF
JOS JONES	861 PEACH HILL RD	
Daniel R Herrick	470 Hatch Rd	Daniel R Herrick

Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

ID zone and SR zoning Map



3/9/2022, 9:53:19 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

2020 Parcels

Zoning

GB - General Business

ID - Industrial

SR - Suburban Residential

UR - Urban Residential

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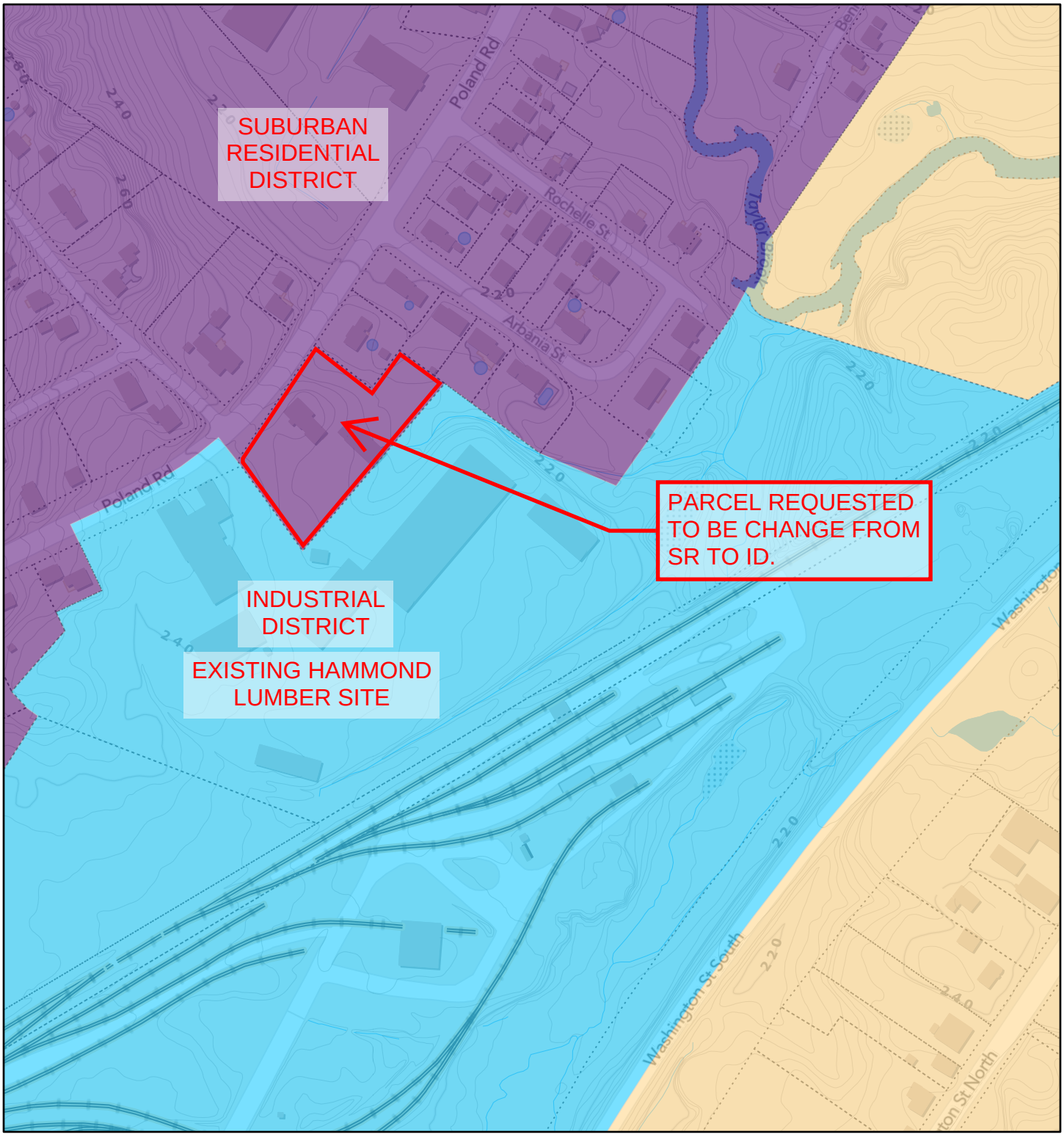
Web AppBuilder for ArcGIS

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

Zoning map of SR and ID Zones



3/9/2022, 9:51:03 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Future Land Use _ 2021 Update

- Traditional Neighborhood Development District
- Industrial Development District
- Commercial Form-Based Code Gateway Development District (Washington Street)

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

City of Auburn
The City of Auburn makes no warranty, representation, or guaranty as to the sequence, accuracy, timeliness, or completeness of any of the information provided. The reader should not rely on the

199-039
NYBERG MICHAEL R, NYBERG ANN E,
3 ARBANIA ST
AUBURN, ME 04210

199-023
SANDS GREGORY J, SANDS PATRICK J,
WHITING BRENDA M
C/O 408 BRIGHTON HILL ROAD
MINOT, ME 04258

199-002
MANCHESTER KATIE, MANCHESTER CATHLEEN,
148 SPILLER ROAD
RAYMOND, ME 04071

199-004
WILLIAMS PHILIP J, WILLIAMS PAMELA J,
175 PRIDE ROAD
AUBURN, ME 04210

199-013
BECKET ACADEMY INC,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-021
GAGNON MONIQUE M, HINKLEY BRETT M,
12 ROCHELLE STREET
AUBURN, ME 04210

199-010
ALLEN TIMOTHY J,
PO BOX 1613
AUBURN, ME 04211

199-028
COYNE JULIE B,
9 ROCHELLE ST
AUBURN, ME 04210

199-046
LEWISTON AUBURN RAILROAD COMPA,
C/O JERRY BERUBE
415 LISBON ST
LEWISTON, ME 04240

199-003
LANDRY PATSY ANN, LANDRY JOHN A,
25 CARLTON ST
AUBURN, ME 04210

199-044
CLIFFORD MARGARITA, C/O PAULA BOLDUC,
279 PLEASANT ST
MECHANIC FALLS, ME 04256

199-030
LANE CAROL, LANE ROBERTA,
240 POLAND RD
AUBURN, ME 04210

199-034
LAPRELL GARY, LAPRELL TINA,
45 ARBANIA STREET
AUBURN, ME 04210

199-024
KEOUGH FRANCIS K, KEOUGH ANN M,
23 ROCHELLE STREET
AUBURN, ME 04210

199-033
BEAN TREVOR A, ,
27 ROCHELLE STREET
AUBURN, ME 04210

199-026
BILODEAU JUDY ANN, ,
17 ROCHELLE ST
AUBURN, ME 04210

199-020
GROETZINGER ALYSSA N, ,
228 POLAND ROAD
AUBURN, ME 04210

199-040
LAWRENCE SUZANNE M, ,
266 POLAND ROAD
AUBURN, ME 04210

198-090
CALLANAN EZEKIEL L, CALLANAN NICHOLAS J,
339 POLAND ROAD
AUBURN, ME 04210

199-005
ROMANO GEORGE F JR, PAITON-ROMANO SHARON A,
169 PRIDE RD
AUBURN, ME 04240

199-038
DERIENZO JOSEPH P, DERIENZO JESSICA,
11 ARBANIA ST
AUBURN, ME 04210

199-027-001
PULSIFER JACOB, ,
14 ARBANIA STREET
AUBURN, ME 04210

199-025
HOGAN JAN M, ,
21 ROCHELLE ST
AUBURN, ME 04210

199-037
GORDON DAWN M, GORDON LARRY L,
17 ARBANIA STREET
AUBURN, ME 04210

199-008
DIXON CHARLENE M, ,
160 PRIDE ROAD
AUBURN, ME 04210

199-042
MJH AUB LLC, ,
PO BOX 500
BELGRADE, ME 04917

199-022
MURPHY JOHN F HOMES INC, ,
800 CENTER ST
AUBURN, ME 04210

198-084
LANDRY JOHN A, LANDRY PATSY A,
31 CARLTON ST
AUBURN, ME 04210

199-001
SNELL DOUGLAS E, ,
321 POLAND ROAD
AUBURN, ME 04210

199-011
TEVES JAMIE BLUE, TEVES CAROLINE ALEXANDRA,
269 POLAND RD
AUBURN, ME 04210

198-098
INDUSTRIAL CONNECTIONS AND SOL, ,
305 Gregson Drive
Cary, NC 27511

199-031
VACHON DANIEL, ,
4 ARBANIA STREET
AUBURN, ME 04210

199-043
ST PIERRE JEFFREY A, ST PIERRE ASHLEY L,
328 POLAND RD
AUBURN, ME 04210

199-041
MJH-AUB LLC, ,
2 HAMMOND DRIVE, PO BOX 500
BELGRADE, ME 04917

199-019
LAUSIER ELMER A, LAUSIER KIMBERLY,
226 POLAND ROAD
AUBURN, ME 04210

199-036
RUSSELL JAY H, RUSSELL TINA M,
27 ARBANIA ST
AUBURN, ME 04210

199-029
MOGAVERO STEPHEN, ,
236 POLAND RD
AUBURN, ME 04210

199-012
BECKET ACADEMY INC, ,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-009
PACKARD TAMMY, ,
174 PRIDE RD
AUBURN, ME 04210

199-032
LANE CAROL F, LANE ROBERTA C,
30 ARBANIA ST
AUBURN, ME 04210

199-027
CEPRANO PETER, CEPRANO DEBRA,
120 BIRCH LANE
WALES, ME 04280

GENERAL NOTES:

1. THE RECORD OWNER OF THE PARCELS IS MJH-AUB LLC BY DEED DATED DECEMBER 15, 2003 AND RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS (ACRD) IN BOOK 5750, PAGE 333 AND BY DEED DATED JANUARY 8, 2019 AND RECORDED AT THE ACRD IN BOOK 10009, PAGE 120.
2. THE PROPERTY IS SHOWN AS LOT 41 AND LOT 42 ON THE CITY OF AUBURN TAX MAP 199. THE PROPERTIES ARE LOCATED IN THE SUBURBAN RESIDENCE (SR) DISTRICT AND ABUTS THE INDUSTRIAL (ID) DISTRICT.
3. SPACE AND BULK CRITERIA FOR THE SR DISTRICT ARE AS FOLLOWS:

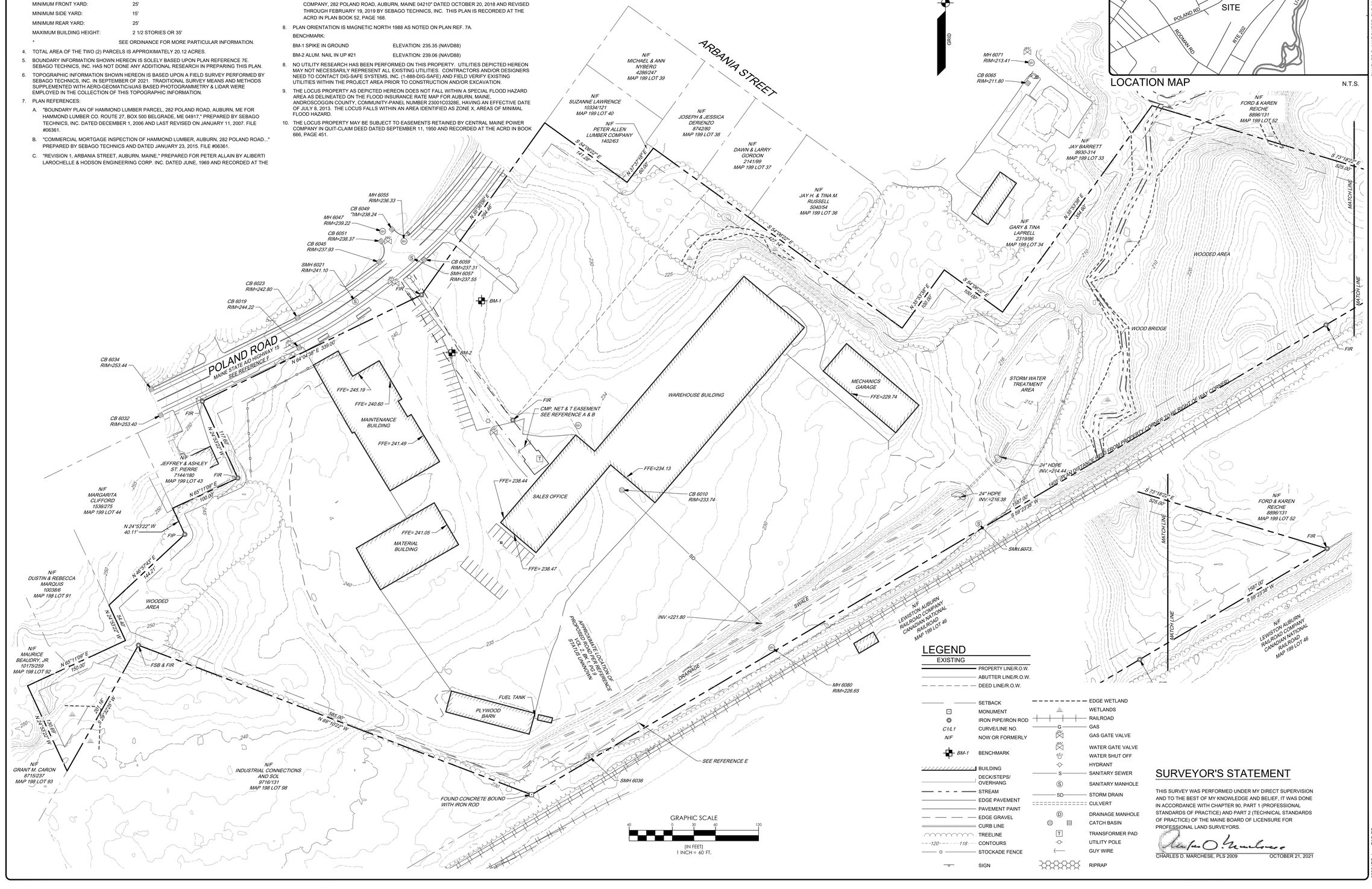
NET RESIDENTIAL DENSITY:	TWO DWELLINGS PER ACRE
MINIMUM LOT SIZE:	21,780 S.F.
MINIMUM LOT WIDTH:	150'
MINIMUM FRONT YARD:	25'
MINIMUM SIDE YARD:	15'
MINIMUM REAR YARD:	25'
MAXIMUM BUILDING HEIGHT:	2 1/2 STORIES OR 35'

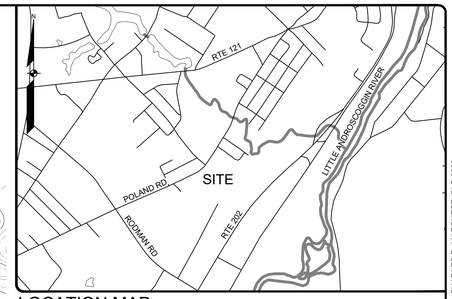
* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.

4. TOTAL AREA OF THE TWO (2) PARCELS IS APPROXIMATELY 20.12 ACRES.
5. BOUNDARY INFORMATION SHOWN HEREON IS SOLELY BASED UPON PLAN REFERENCE 7E. SEBAGO TECHNICS, INC. HAS NOT DONE ANY ADDITIONAL RESEARCH IN PREPARING THIS PLAN.
6. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY PERFORMED BY SEBAGO TECHNICS, INC. IN SEPTEMBER OF 2021. TRADITIONAL SURVEY MEANS AND METHODS SUPPLEMENTED WITH AERO-GEOMATIC/sUAS BASED PHOTOGRAMMETRY & LIDAR WERE EMPLOYED IN THE COLLECTION OF THIS TOPOGRAPHIC INFORMATION.
7. PLAN REFERENCES:
   - A. "BOUNDARY PLAN OF HAMMOND LUMBER PARCEL, 282 POLAND ROAD, AUBURN, ME FOR HAMMOND LUMBER CO. ROUTE 27, BOX 500 BELGRADE, ME 04917," PREPARED BY SEBAGO TECHNICS, INC. DATED DECEMBER 1, 2006 AND LAST REVISED ON JANUARY 11, 2007. FILE #06361.
   - B. "COMMERCIAL MORTGAGE INSPECTION OF HAMMOND LUMBER, AUBURN, 282 POLAND ROAD..." PREPARED BY SEBAGO TECHNICS AND DATED JANUARY 23, 2015. FILE #06361.
   - C. "REVISION 1, ARBANIA STREET, AUBURN, MAINE," PREPARED FOR PETER ALLAIN BY ALIBERTI LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE, 1969 AND RECORDED AT THE ACRD IN PLAN BOOK 21, PAGE 3.
   - D. "PLAN OF PROPERTY OWNED BY GENERAL ELECTRIC CO. RODMAN ROAD, AUBURN, MAINE," PREPARED BY ALIBERTI, LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE 22, 1979 AND RECORDED AT THE ACRD IN PLAN BOOK 28, PAGE 152.
   - E. STATE AID HIGHWAY NO. 15 RIGHT OF WAY MAP, PREPARED BY STATE OF MAINE DEPARTMENT OF TRANSPORTATION, FEDERAL AID PROJECT M-0218(2), D.O.T. FILE NO. 1-132, DATED JULY 1979, SHEETS 2 AND 3 OF 8, AND RECORDED AT THE ACRD IN PLAN BOOK 30, PAGE 26 & 27.
   - F. "PLAN OF LOTS OWNED BY MR. J.R. LEARNED, AUBURN, ME." DATED APRIL 1897 AND RECORDED AT THE ACRD IN PLAN VOLUME 2, BOOK 1, PAGE 9.
   - G. "BOUNDARY SURVEY PLAN OF 278 POLAND ROAD, AUBURN, MAINE FOR HAMMOND LUMBER COMPANY, 282 POLAND ROAD, AUBURN, MAINE 04210" DATED OCTOBER 20, 2018 AND REVISED THROUGH FEBRUARY 19, 2019 BY SEBAGO TECHNICS, INC. THIS PLAN IS RECORDED AT THE ACRD IN PLAN BOOK 52, PAGE 168.
8. PLAN ORIENTATION IS MAGNETIC NORTH 1988 AS NOTED ON PLAN REF. 7A.

   BENCHMARK:

BM-1 SPIKE IN GROUND	ELEVATION: 235.35 (NAVD88)
BM-2 ALUM. NAIL IN UP #21	ELEVATION: 239.06 (NAVD88)
9. NO UTILITY RESEARCH HAS BEEN PERFORMED ON THIS PROPERTY. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
10. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR AUBURN, MAINE, ANDROSCOGGIN COUNTY, COMMUNITY-PANEL NUMBER 230001C0328E, HAVING AN EFFECTIVE DATE OF JULY 8, 2013. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE X, AREAS OF MINIMAL FLOOD HAZARD.
11. THE LOCUS PROPERTY MAY BE SUBJECT TO EASEMENTS RETAINED BY CENTRAL MAINE POWER COMPANY IN QUIT-CLAIM DEED DATED SEPTEMBER 11, 1950 AND RECORDED AT THE ACRD IN BOOK 666, PAGE 451.





LOCATION MAP N.T.S.

LEGEND

EXISTING

- PROPERTY LINE/R.O.W.
- ABUTTER LINE/R.O.W.
- DEED LINE/R.O.W.
- SETBACK
- MONUMENT
- IRON PIPE/IRON ROD
- C1/L1 CURVE/LINE NO.
- N/F NOW OR FORMERLY
- BM-1 BENCHMARK
- BUILDING
- DECK/STEPS/ OVERHANG
- STREAM
- EDGE PAVEMENT
- PAVEMENT PAINT
- EDGE GRAVEL
- CURB LINE
- TREELINE
- 120 118 CONTOURS
- STOCKADE FENCE
- SIGN
- EDGE WETLAND
- WETLANDS
- RAILROAD
- G GAS
- GAS GATE VALVE
- WV WATER GATE VALVE
- WATER SHUT OFF
- HYDRANT
- S SANITARY SEWER
- SANITARY MANHOLE
- SD STORM DRAIN
- CULVERT
- DRAINAGE MANHOLE
- CATCH BASIN
- T TRANSFORMER PAD
- UTILITY POLE
- GUY WIRE
- RIPRAP

GRAPHIC SCALE

60 0 30 60 120

(IN FEET)

1 INCH = 60 FT.

SURVEYOR'S STATEMENT

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) AND PART 2 (TECHNICAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

CHARLES D. MARCHESE, PLS 2009 — OCTOBER 21, 2021

CHARLES D. MARCHESE, PLS 2009

STATE OF MAINE * CHARLES D. MARCHESE * 2009 * REGISTERED PROFESSIONAL LAND SURVEYOR

REV	BY	DATE	STATUS
A	CDM	10-21-2021	ISSUED FOR CLIENT REVIEW

THIS PLAN IS NOT TO BE USED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

EXISTING CONDITIONS PLAN
OF:
HAMMOND LUMBER COMPANY
278 & 282 POLAND ROAD
AUBURN, ME
FOR RECORD OWNER:
MJH-AUB LLC
2 HAMMOND DRIVE, P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	-
DRAWN	KAH/TSL
CHECKED	CDM/TSL
DATE	10/15/2021
SCALE	1" = 60'
PROJECT	06361

SHEET 1 OF 1

06361EC.dwg, TAB: EC

POLAND ROAD

BIT. CURB

TIP-DOWN, TYP.

TRUNCATED DOME

MAGNETIC 1988

MAINTENANCE BUILDING

DISPLAY AREA

DOCK DISPLAY AREA

HAMMOND LUMBER SIGN (BY OTHERS)

ENTRANCE GATE

N/F SUZANNE AWRENCE 16534-101 MAP 199 LOT 40

N/F PETER ALLEN LUMBER COMPANY 14083

11 PARKING SPACES

12 PARKING SPACES

13 PARKING SPACES

13 PARKING SPACES

15 PARKING SPACES

16 PARKING SPACES

7 PARKING SPACES

13 PARKING SPACES

4 PARKING SPACES

4 ADA PARKING SPACES

INDUSTRIAL ZONE (ID)

SUBURBAN RESIDENTAIL ZONE (SR)

RELOCATED TRANSFORMER

SAWCUT, TYP.

BOLLARD, TYP.

LSA

10'x20' PARKING SPACE, TYP.

ADA PARKING SIGN, TYP 4 PLACES

SALES OFFICE

WAREHOUSE BUILDING

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 INCH = 20 FT.

PLS OR PE

PLS OR PE

PROGRESS PRINT

NOT FOR CONSTRUCTION

REV	BY	DATE	STATUS
REV	BY	DATE	STATUS

THIS PLAN IS NOT TO BE USED, REPRODUCED OR MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

SITE PLAN
OF:
HAMMOND LUMBER - AUBURN
282 POLAND ROAD
AUBURN, MAINE
FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361

SHEET 5 OF10

06361 S dwg, TAB:S

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

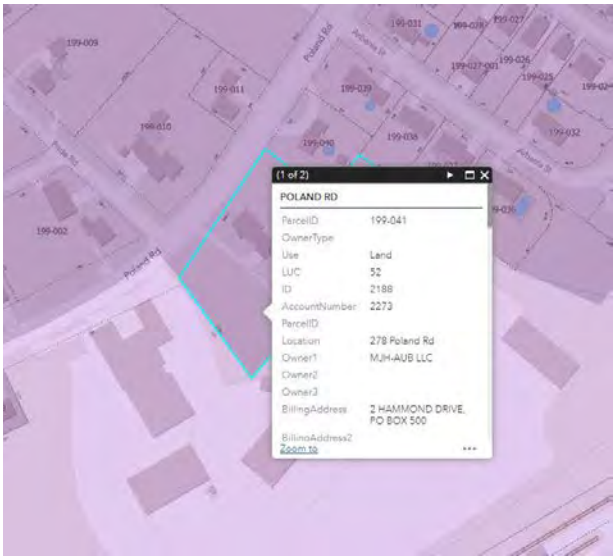
To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Zone Change Request for Hammond Lumber, 278 Poland Road

Date: May 10, 2022

PROPOSAL #1: **PETITION/ ZONE CHANGE REQUEST:** Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.



Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or **by a petition signed by not less than 25 registered voters of the city.** (Ord. of 9-21-2009, § 8.1A) This change was initiated by petition.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan (FLUP) as part of the 2021 Comprehensive Plan update process has this area has a suggested zone as Suburban Residential but given the immediate proximity of ID on two sides and long-standing lumber companies ownership (61+/- years) in the immediate area this would be an enhancement to the growing lumber and construction industry in the community. Access to building materials in the community is a major asset to meeting economic and housing goals of the Comprehensive Plan.

The FLUP is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development *(Ref. City of Auburn Comprehensive Plan, Chapter 2, pg. 87)*

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a recommendation to City Council to amend zoning map amendment to PID: 199-041 from Suburban Residential to Industrial to support a business in an otherwise commercially zoned neighborhood. Although review of a site plan will be required later it is worth noting that site impacts will be addressed in that process, including:

1.) The owner will address curb cut reductions if a site plan review submission is requested for proposed parking areas.
2.) The owner would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

II. SUGGESTED FINDINGS AND REASONS:

1. The applicant submitted a rezoning petition with required signatures, City Zoning maps with Parcels identified, 500' abutters list, and plans which met the standards and the required materials to make the Zone change on April 8, 2022 thus meeting the time frame and submission standards (Sec. 60-1446).
2. The property in question is owned by Hammond Lumber and abuts its property already in the ID zoning district on two sides. Approximately the second half of the parcel abuts the suburban residential zone. The change would not affect the character of the neighborhood and would not impede public health, safety, convenience, and welfare (Sec. 60-1447).
3. The proposal can be implemented without detriment to city resources.
4. The proposal meets the general future land use plan pattern of development and is consistent with the current comprehensive plan.

III. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

Suggested Motion: I make a motion to recommend that the City Council approve Hammond Lumber's requested Zone change on 1.75 acres +/- at 278 Poland Road (PID 199-041) from Suburban Residential (SR) Zone to Industrial (ID) Zone noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov | 207.333.6601

Proposal from the May 10th Planning Board staff report now before council:

Proposal: Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SB zoning. Approval for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.

Suggested Motion:

On May 10th, 2022, the City of Auburn Planning Board made the following recommendations:

"I move to recommend that City Council not rezone the property as it would be an encroachment of industrial area into residential neighborhoods."

(Motion from Mathieu Duvall, Second from Stacey LeBlanc)

Motion to NOT rezone the area to ID passes 5-2.

GENERAL NOTES:

1. THE RECORD OWNER OF THE PARCELS IS MJH-AUB LLC BY DEED DATED DECEMBER 15, 2003 AND RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS (ACRD) IN BOOK 5750, PAGE 333 AND BY DEED DATED JANUARY 8, 2019 AND RECORDED AT THE ACRD IN BOOK 10009, PAGE 120.
2. THE PROPERTY IS SHOWN AS LOT 41 AND LOT 42 ON THE CITY OF AUBURN TAX MAP 199. THE PROPERTIES ARE LOCATED IN THE SUBURBAN RESIDENCE (SR) DISTRICT AND ABUTS THE INDUSTRIAL (ID) DISTRICT.
3. SPACE AND BULK CRITERIA FOR THE SR DISTRICT ARE AS FOLLOWS:

NET RESIDENTIAL DENSITY:	TWO DWELLINGS PER ACRE
MINIMUM LOT SIZE:	21,780 S.F.
MINIMUM LOT WIDTH:	150'
MINIMUM FRONT YARD:	25'
MINIMUM SIDE YARD:	15'
MINIMUM REAR YARD:	25'
MAXIMUM BUILDING HEIGHT:	2 1/2 STORIES OR 35'

* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.

4. TOTAL AREA OF THE TWO (2) PARCELS IS APPROXIMATELY 20.12 ACRES.
5. BOUNDARY INFORMATION SHOWN HEREON IS SOLELY BASED UPON PLAN REFERENCE 7E. SEBAGO TECHNICS, INC. HAS NOT DONE ANY ADDITIONAL RESEARCH IN PREPARING THIS PLAN.
6. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY PERFORMED BY SEBAGO TECHNICS, INC. IN SEPTEMBER OF 2021 UTILIZING AN UNMANNED AERIAL DRONE AND LIDAR (LIGHT DETECTION AND RANGING) TECHNOLOGIES.
7. PLAN REFERENCES:
   - A. "BOUNDARY PLAN OF HAMMOND LUMBER PARCEL, 282 POLAND ROAD, AUBURN, ME FOR HAMMOND LUMBER CO. ROUTE 27, BOX 500 BELGRADE, ME 04917," PREPARED BY SEBAGO TECHNICS, INC. DATED DECEMBER 1, 2006 AND LAST REVISED ON JANUARY 11, 2007. FILE #06361.
   - B. "COMMERCIAL MORTGAGE INSPECTION OF HAMMOND LUMBER, AUBURN, 282 POLAND ROAD..." PREPARED BY SEBAGO TECHNICS AND DATED JANUARY 23, 2015. FILE #06361.
   - C. "REVISION 1, ARBANIA STREET, AUBURN, MAINE," PREPARED FOR PETER ALLAIN BY ALIBERTI LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE, 1969 AND RECORDED AT THE ACRD IN PLAN BOOK 21, PAGE 3.
   - D. "PLAN OF PROPERTY OWNED BY GENERAL ELECTRIC CO. RODMAN ROAD, AUBURN, MAINE," PREPARED BY ALIBERTI, LAROCHELLE & HODSON ENGINEERING CORP. INC. DATED JUNE 22, 1979 AND RECORDED AT THE ACRD IN PLAN BOOK 28, PAGE 152.
   - E. STATE AID HIGHWAY NO. 15 RIGHT OF WAY MAP, PREPARED BY STATE OF MAINE DEPARTMENT OF TRANSPORTATION, FEDERAL AID PROJECT M-0218(2), D.O.T. FILE NO. 1-132, DATED JULY 1979, SHEETS 2 AND 3 OF 8, AND RECORDED AT THE ACRD IN PLAN BOOK 30, PAGE 26 & 27.
   - F. "PLAN OF LOTS OWNED BY MR. J.R. LEARNED, AUBURN, ME." DATED APRIL 1897 AND RECORDED AT THE ACRD IN PLAN VOLUME 2, BOOK 1, PAGE 9.
   - G. "BOUNDARY SURVEY PLAN OF 278 POLAND ROAD, AUBURN, MAINE FOR HAMMOND LUMBER COMPANY. 282 POLAND ROAD, AUBURN, MAINE 04210" DATED OCTOBER 20, 2018 AND REVISED THROUGH FEBRUARY 19, 2019 BY SEBAGO TECHNICS, INC. THIS PLAN IS RECORDED AT THE ACRD IN PLAN BOOK 52, PAGE 168.
8. PLAN ORIENTATION IS MAGNETIC NORTH 1988 AS NOTED ON PLAN REF. 7A.

   BENCHMARK:

   BM-1 SPIKE IN GROUND ELEVATION: 235.35 (NAVD88)
8. NO UTILITY RESEARCH HAS BEEN PERFORMED ON THIS PROPERTY. UTILITIES DERICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
9. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR AUBURN, MAINE, ANDROSCOGGIN COUNTY, COMMUNITY-PANEL NUMBER 230012D329E, HAVING AN EFFECTIVE DATE OF JULY 8, 2013. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE X, AREAS OF MINIMAL FLOOD HAZARD.
10. THE LOCUS PROPERTY MAY BE SUBJECT TO EASEMENTS RETAINED BY CENTRAL MAINE POWER COMPANY IN QUIT-CLAIM DEED DATED SEPTEMBER 11, 1950 AND RECORDED AT THE ACRD IN BOOK 666, PAGE 451.

LOCATION MAP N.T.S.

LEGEND

EXISTING

- PROPERTY LINE/R.O.W.
- ABUTTER LINE/R.O.W.
- DEED LINE/R.O.W.
- SETBACK
- MONUMENT
- IRON PIPE/IRON ROD
- C1/L1 CURVE/LINE NO.
- N/F NOW OR FORMERLY
- BM-1 BENCHMARK
- BUILDING
- DECK/STEPS/ OVERHANG
- STREAM
- EDGE PAVEMENT
- PAVEMENT PAINT
- EDGE GRAVEL
- CURB LINE
- TREELINE
- 120 118 CONTOURS
- STOCKADE FENCE
- SIGN
- EDGE WETLAND
- WETLANDS
- RAILROAD
- G GAS
- GAS GATE VALVE
- WATER GATE VALVE
- WATER SHUT OFF
- HYDRANT
- S SANITARY SEWER
- SANITARY MANHOLE
- SD STORM DRAIN
- CULVERT
- DRAINAGE MANHOLE
- CATCH BASIN
- TRANSFORMER PAD
- UTILITY POLE
- GUY WIRE
- RIPRAP

SURVEYOR'S STATEMENT

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) AND PART 3 (TECHNICAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

CHARLES D. MARCHESE, PLS 2009 OCTOBER 21, 2021

CHARLES D. MARCHESE, P.L.S 2009

STATE OF MAINE CHARLES D. MARCHESE 2009 REGISTERED PROFESSIONAL LAND SURVEYOR

REV	BY	DATE	STATUS
A	CDM	10-21-2021	ISSUED FOR CLIENT REVIEW

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. (MY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS INC.

SEBAGO TECHNICS

WWW.SEBAGOTECHNICS.COM

75 John Roberts Rd.
Suite 1A
South Portland, ME 04106
Tel. 207-200-2100

EXISTING CONDITIONS PLAN
OF:
HAMMOND LUMBER COMPANY
276 & 282 POLAND ROAD
AUBURN, ME
FOR RECORD OWNER:
MJH-AUB LLC
2 HAMMOND DRIVE, P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	-
DRAWN	KAH/TSL
CHECKED	CDM/TSL
DATE	10/15/2021
SCALE	1" = 60'
PROJECT	06361

SHEET 1 OF 1

06361EC.dwg, TAB:EC

Hammond Lumber Public Site Walk
June 30th, 2022
Zone Change Application

Meeting Minutes:

5:00 PM **Begin Site Walk**

Attendees gathered at the front of the site. A sign-in sheet passed around for attendees to write their name and address.

5:05 PM A formal introduction and project overview was given by Jim Seymour of Sebago Technics, Inc. Following the introduction, the floor was opened to questions from the public.

5:07 PM **Begin Open Discussion:**

Member of public asked: What time will truck operations/employees start in the morning?

Steve Pray of Hammond Lumber responded:

- Approximately 5-6 employees start 6AM
- Truck drivers arrive 6:30AM
- Try to end work day by 5:00PM, usually open no later than 6:00PM
- Block/close Poland Road entrance after hours
- Signs to prevent overnight parking in front of the site are currently being made and will be installed once ready

Member of the public (17 Arbania St.) asked: What is the impact to the trees (pointed to rear of site)?

- Clarified that the proposed zone change and proposed work in front of site would not impact trees in rear of site.
- Proposed work will explore new buffering in front of site if it proceeds to site plan review process.

5:10 PM Member of the public raised concern about truck access improvements and trucks blocking Poland Road

- Site plan will allow separation of trucks and commuter vehicles to improve access

Member of the public asked: Will the new entrance be blocked after hours?

- Yes, entrance will be blocked by a gate after hours

Member of the public asked: What percent of business is retail?

- Approximately 30% retail, 70% contractor

Member of the public asked: What will new parking be for?

- New parking will be for customers and employees to allow segregation of commuter vehicles and loading/trucking operations to improve safety and functionality.

Member of public asked about plantings/buffering on opposite side of the site on Poland Road

- Comment acknowledged, not related to zone change or proposed improvements but can be explored

5:15 PM Member of public asked about snow storage, and raised concerns of basements flooding since trees by Poland Road were cleared.

- Jim Seymour of Sebago Technics explained snow storage and the proposed soil filter BMP for stormwater treatment/control.
- New runoff will be controlled on site by BMP and additional plantings for buffering will be installed where previous trees were cut.

Member of the public asked about buffering

- A combination of trees and fencing can be explored in any areas requiring buffering

Members of the public raised concerns of deer in the area and concerns of deer getting trapped/dying in the soil filter (BMP)

- Clarified that the soil filter will be dry (typically dry 24 hours after storm)
- Soil filter only 3 feet deep and new plantings can be installed for buffering and to provide more cover for deer than what currently exists

5:20 PM Member of the public asked about redoing the front façade of the warehouse

- Old warehouse buildings are difficult to refinish but the applicant is exploring façade and entrance options to improve overall appearance of site

Member of the public raised concern about lighting

- Lighting will meet ordinance requirements and any requirements as requested by planning board (photometric plans typical for site plans) if the zone change is approved

5:25 PM Member of the public asked: How will you keep people from living in the parking lot?

Steve Pray responded:

- Entrances will be closed after hours
- There will be no access to the site after hours
- It is private property and anyone refusing to leave will have police called on them and be charged with trespassing

Member of the public asked about tax changes resulting from the zone change

Eric Cousens representing the City of Auburn responded:

- Taxes typically more in Industrial Zone vs. Residential Zones

Member of the public asked why parking is so far away and so large?

- Sidewalk will be located along front of parking lot, employees will occupy spaces furthest away
- Large parking lot required for capacity of all employees and customers
- Desire to remove parking in lay down areas behind warehouse for improved flow and safety
- Nothing is finalized, site plan review process still required if zone change is approved

5:30 PM Member of the public expressed desire for tree buffering to be added first.

- Comment acknowledged, can be explored if zone change is approved

Member of the public asked how Hammond Lumber can be trusted to plant buffers

- Any required buffering will be installed in accordance with the applicable approvals

- Will be enforced by the city under the site plan approval process if zone change is approved and project is allowed to move forward

Member of the public asked for overview of Zone change and site plan process

- Eric Cousens provided overview of zone change process and site plan application process

5:35 PM Member of the public asked what happened to imaginary road going through the site and what happens to ownership?

- Potentially a paper street and never built
- Meeting attendee with knowledge of land history (Tim Allen, family owned previously all land of Arbania Street subdivision) clarified there was a trolley easement which may have been what was seen. Mentioned sewer easement also possible. Mentioned if there were any roads they may have been proposed, and do not exist, therefor not applicable.

Member of the public asked if city council takes into account their comments/input

- Yes, meeting minutes will be provided with notes of tonight's meeting

Member of the public commented they are worried the City will mess up again and referenced Auburn Concrete site and summarized disapproval of their operation. Gravel falling in Poland Road from trucks and loud operations.

- Comment acknowledged

5:40 PM Member of the public asked: Where will people park after hours when gates are closed? (to view streetside or internal displays)

- Customers typically don't stop by after hours, and Hammond Lumber doesn't anticipate many customers coming to view any new potential staging/displays after hours

Member asked about hours and why not open on weekends

- Minimal locations open on Saturdays, closed on weekends for general employee health/longevity/happiness

Member of the public asked if the zone change will be very beneficial to Hammond Lumber and/or increase sales

- It will allow for a more attractive site, safer circulation and access through the site, and better functioning overall.
- Unknown change in sales, potential for more retail attraction

5:45 PM Member of the public expressed concerns that Hammond Lumber has made slow changes over last 30 years and won't stop.

- Comment acknowledged, changes necessary for business expansion/improvements
- Willing to accept input and suggestions to be good neighbor

Member of the public said the "no overnight parking" rule can't be enforced in the industrial zone.

- No parking signs are being made for the front of the site to prevent overnight parking
- Can explore working with polices department to enforce no parking on Poland Road

5:50 PM Member of the public asked: Was there a specific intent when Hammond Lumber purchase the residential lot?

- No specific plan at time of purchase
- Land is directly in front of Hammond Lumber and opportunity presented itself to acquire the property (first refusal)

Member of the public asked: What is the timeline for this process? What happens if zone change is denied?

- Final approval/disapproval of zone change anticipated in August
- Full site plan review process will begin if zone change approved
- If no approval of zone change then no moving forward with current site plan concept

Member of the public asked if there will be improvements to buffering in rear of site

- The current focus is on the front of the property and the zone change
- If allowed to move forward with site plan process city can enforce new buffering standards
- Hammond Lumber is willing to explore additional buffering in rear of site (both fencing and landscaping). Additional buffering could

potentially be provided if stripping/cut from proposed front parking lot were to be placed in rear by existing detention pond

5:55 PM Member of the public expressed desire for Hammond Lumber to be overall better neighbor

- Comment acknowledged

Member of the public asked when city council will look at this

- Next meeting where city council will review this zone change request is July 18th

6:00 PM: **Meeting Concluded**

MEETING SIGN-IN

06361

Hammond Lumber Public Site Walk

Date/Time of Meeting: June 30, 2022, 5:00 PM

Location: 290 Poland Road Auburn, ME 04210

Developer / consultants team members in Attendance	
Name	**Address**
1. James Seymour P.E.	75 John Roberts rd. South Portland
2.. Steve Pray	290 Poland Road Auburn 04210
3.	
4.	
5.	
6.	
Members of the Public in Attendance	
1.. Kerry Fontaine	135 Hackmatack Rd Auburn
2. Suzanne Lawrence	266 Poland Rd.
3. Eric Cousens	City of Auburn 60 Court St.
4. Mike Nyberg	5 Arbanie St
5. Caroline Teves	269 Poland Rd.
6. DOUG SNELL	321 Poland Rd
7. Dawn Gordon + 1	17 Arbanie St
8. Timothy Allen	194 Pt. L. Rd.
9.	
10	
11.	
12.	
13.	
14	
15.	

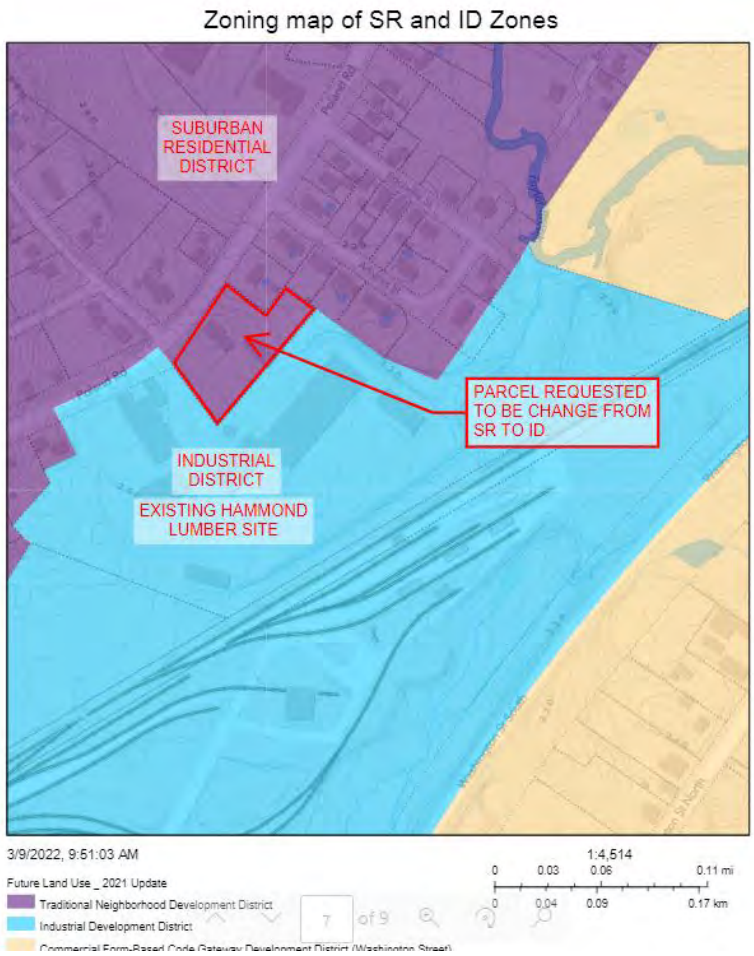
ORDINANCE 16-06062022

City Council Ordinance

IN CITY COUNCIL

Amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041)

Be it ordained, that the Auburn City Council approve the first reading of an amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041) as shown in the petition and below.



Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 93-06272022

Author: Sue Clements-Dallaire, City Clerk

Subject: HVAC SYSTEMS

Information: During the 6/27/2022 City Council meeting, Order 93-06272022 Allocating $1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities was presented by the City Council. After much discussion, and amendment was made to direct the City Manager to move forward with the bid process for the HVAC systems that have been identified as the four priority initiatives and it would be determined at a later date how we would allocate the funds. The amendment passed 7-0, however the order as amended was not voted on.

Below is from the minutes of the meeting:

> ***Order 93-06272022***
> *Allocating $1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.*
>
> *Motion was made by Councilor Gerry and seconded by Councilor Whiting for passage.*
>
> *Public comment – Andy Titus, 24 Rubelite Lane asked if the HVAC system upgrade is part of the 5-year Capital Improvement Plan.*
>
> *Motion was made by Councilor Hawes and seconded by Councilor Morin to amend by approving this with ARPA funds today to get this moving and replace the ARPA money with bond money at a later date.*
>
> *After further discussion, both Councilor Hawes and Morin withdrew the motion.*
>
> *Motion was made by Councilor Whiting and seconded by Councilor Morin to amend to direct the City Manager to move forward with the bid process for the HVAC systems that have been identified as the four priority initiatives.*
>
> *It will be determined at a later date how we will allocate the funds.*
>
> *Passage 7-0.*

City Budgetary Impacts: None

Staff Recommended Action: Vote on Order 93-06272022 as it was amended on 6/27/2022.

Previous Meetings and History: Workshop presentation June 6, 2022, and more information noted above.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

ORDER 93-06272022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council ~~allocate $1,600,000.00 of American Rescue Plan Act ((ARPA) funds for the~~ directs the City Manager to move forward with the bid process for the upgrades and/or replacements of HVAC systems in our city-owned facilities that have been identified as the four priority initiatives and the $1,600,000.00 to be funded either with ARPA funds or a bond will be determined at a later date.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 101-07182022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: CDBG/HOME Action Plan for Program Year 2022

Information:
Each year the Community Development office presents the Annual Action Plan, detailing the use of Auburn's CDBG funds & the Auburn-Lewiston Consortium's HOME funds. This plan is designed to address community needs as detailed in the 5 year Consolidated Plan which was adopted in 2020.

This plan includes a new Citizen Participation Plan. During PY21 there was a consistent problem achieving the required quorum of appointed members to conduct business. Three separate meetings of the Citizens Advisory Committee (CAC) failed to achieve a quorum and one failed to have any members presents. Community development staff worked with HUD to develop a new, more compliant Citizen Participation Plan that relies on broad based community surveys and consultation with community service providers. This new outreach process, which includes translated surveys in 5 languages and incorporated additional outreach and community listening sessions, was utilized for the development of this plan.

City Budgetary Impacts:
Auburn's annual CDBG allocation is $539,980, with an additional $889,247 of unspent allocations from previous years and an expectation of $132,000 in program income. The Auburn-Lewiston HOME Consortium annual allocation is $514,791, with an additional $1,642,344 of unspent allocations from previous years and an expectation of $56,000 in program income. Auburn's share of the consortium dollars is $1,550,254. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action:
Vote to adopt the 2022 CDBG & HOME Action Plan and appendices as presented.

Previous Meetings and History:
Public Hearing May 2, 2022
CAC Meeting June 17th, 2022
Public Comment Period June 1 - July 18th, 2022
Listening session – LA Landlord Association January 25, 2022
Listening session- New Auburn Neighborhood Watch April 28, 2022

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:
PY22 CDBG & HOME Action Plan & Draft Citizen Participation Plan
Current Citizen Participation Plan as amended in 2021

Community Development Block Grant & Auburn-Lewiston HOME Consortium

ACTION PLAN | Program Year 2022

City of Auburn Business & Community Development Department

auburnmaine

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

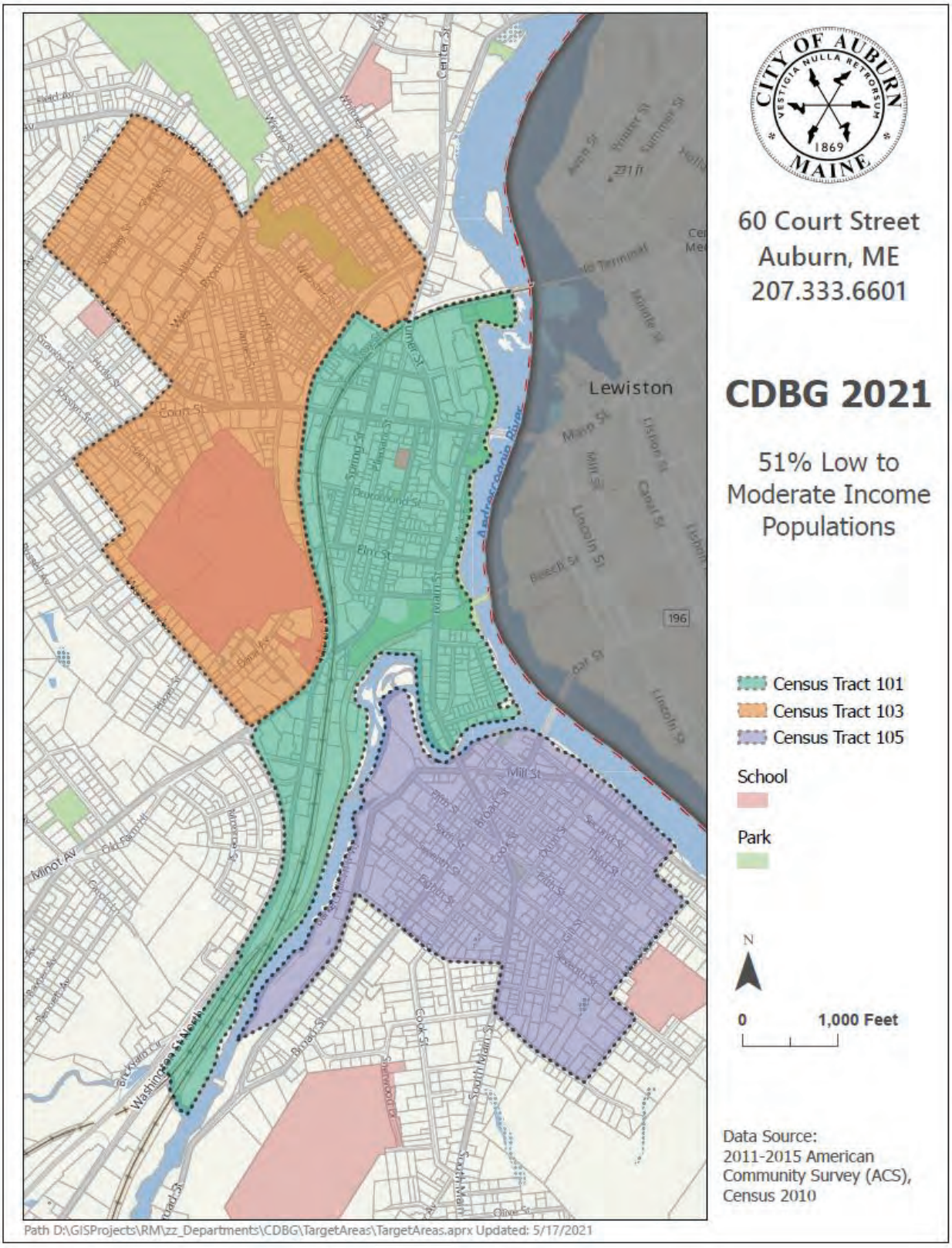
1. Introduction

The City of Auburn is submitting its PY22 Action Plan with the U. S. Department of Housing and Urban Development (HUD). The national purpose of the Community Development Block Grant (CDBG) program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities principally for persons of low and moderate income. The national purpose of the HOME Investment Partnership (HOME) program is to create affordable housing for low-income households.

The City of Auburn has adopted the 2020-2024 Consolidated Plan (PLAN) for the CDBG program and the HOME program which includes both the City of Auburn and Lewiston. The PLAN identifies many community challenges and unmet needs, establishes priorities, and describes how these federal resources will address unmet needs. The PLAN also establishes goals, objectives, and performance benchmarks for measuring progress. These are used as a framework for determining prioritization of requests and the development of individual program guidelines while establishing conditions of support and recipient expectations.

CDBG funds are targeted to areas of the community in which there is a high proportion of low- and moderate-income people as well as for housing improvement programs throughout the jurisdiction which serve this target population. The uses of funds are limited to housing improvements, elimination of blight, infrastructure improvements, job creation, and providing of essential social services. So long as the national test is met, there is an amount of flexibility in the use of the funds, although CDBG funded social service spending is capped at 15% of the annual allocation.

This Action Plan describes the third-year budget and proposed activities to be carried out while advancing the goals and objectives set forth in the PLAN. Identified within this plan are 11,965 households in Auburn & Lewiston (47%) which qualify as being under 80% HUD Area Median Family Income (HAMFI). This means nearly half of households in Auburn & Lewiston are considered Low-moderate income and qualify for assistance under the CDBG or HOME programs. Additionally, the Comprehensive Housing Affordability Strategy (CHAS) contained within the Consolidated plan demonstrates that 54% of the households identified as Low- to Moderate income have at least 1 child under the age of 6 years.


CITY OF AUBURN
VESTIGIA NULLA RETRORSUM
1869
MAINE
60 Court Street
Auburn, ME
207.333.6601
CDBG 2021
51% Low to Moderate Income Populations
Census Tract 101
Census Tract 103
Census Tract 105
School
Park
N
0
1,000 Feet
Data Source:
2011-2015 American Community Survey (ACS), Census 2010
Lewiston
Path D:\GISProjects\RM\zz_Departments\CDBG\TargetAreas\TargetAreas.aprx Updated: 5/17/2021

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

GOALS OF THE 2020-2024 CONSOLIDATED PLAN

The Auburn Community Development Office (ACDO) intends to work towards measurable outcomes established when the 2020-2024 Consolidated Plan was adopted. This plan established the 4 goals and outcome expectations indicated below:

Goal 1: Provide Safe & Affordable Housing

- 100 Rental Units Rehabilitated
- 50 Homeowner Units Rehabilitated
- 125 Tenant Based Rental Assistance

Goal 2: Improve Infrastructure & Reduce Blight

- 3,000 Persons Assisted

Goal 3: Promote Economic Opportunities

- 10 Jobs Created/Retained
- 10 Businesses Assisted

Goal 4: Provide Essential Services

- 500 Persons Assisted

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Federal oversight: U.S. Department of Housing & Urban Development (HUD) oversees all funds invested into the cities through their respective Community Development Offices. In response to a recent city audit and on-going monitoring conducted by HUD, compliance reviews and substantial corrective actions have been carried out during PY21 for both cities of the consortium. Within this process all new

policies, program guidelines and standard operating procedure manuals were developed. In concert with HUD staff, programs were discontinued or substantially rebuilt as to be compliant with federal regulations, and an all-new staff has been brought in and trained to oversee and ensure compliance of these programs. Additional monitoring and corrective actions will continue through PY22 as the ACDO continues to improve processes redevelopment and compliance measures. Because of this extensive process there were a limited number of new projects begun in PY21.

As ACDO worked with HUD staff to correct previous year's financial and project reporting data it was necessity to conduct extensive internal quality control checks to re-qualify projects already under way. A limited number of projects which had already begun or had been completed prior to PY21 have now been deemed to be out of compliance with HUD requirements. For cases which cannot be brought into compliance the City of Auburn will be seeking to complete a Voluntary Grant Reduction (VGR) from the PY23 allocation. This process requires ACDO staff to revise previous year's impact numbers contained within the Consolidated Annual Performance Evaluation Report (CAPER) by removing projects which were deemed non-compliant with HUD requirements. The result is a reduction in not only PY21 impact metrics but in the PY20 & PY19 previously reported performance reports.

Citizen Participation: This plan includes a revision of the Citizen Participation Plan. During PY21 there was a consistent problem attracting new committee members and achieving the required quorum of appointed members to conduct business. Three separate meetings of the Citizens Advisory Committee (CAC) failed to achieve a quorum and one failed to have any members presents. In response to the difficulties in public meetings caused by Covid-19 precautions and the lack of committee participation the ACDO took new efforts to solicit input from a wider breadth of the Auburn and Lewiston communities.

The ACDO piloted a new, annual survey for housing matters. This survey, now set in policy to be conducted annually prior to the development of the Annual Action or Consolidated plans, will be more effective and equitable at influencing and informing programmatic decisions while also better accommodating a more diverse population who, for language, time, resources, and comfort levels may otherwise not have been included under the previous citizen participation model. By simultaneously using traditional methods of direct outreach through local service hubs as well as modern technology and social media to appeals to people at their homes or on their mobile devices greater accessibility and inclusiveness was achieved in the development of this plan.

This revision will allow for programmatic efficiencies to be made in the determination of community needs assessments from a broader participation base. It serves to better inform staff by providing quantifiable data points which are otherwise not available from the state or national surveys traditionally utilized and aids the department in more rapidly developing programmatic improvement based on concrete and measurable needs assessments which were not readily available.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The Action Plan for the city of Auburn and the Auburn-Lewison Consortium is due to be released each year by March according to the included draft citizen Participation Plan and relevant HUD guidelines. In March of 2022 HUD released CPD Notice 22-05, which suspended this process and related requirements until the formula-based allocations are published by HUD. These allocations, due to various approval delays at the federal level, were not made available to the city of Auburn until May 16, 2022. The ACDO will hold the final Public Hearing and approval of the draft Action Plan on July 18th.

Prior to the development of this Action Plan a community needs survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received. This information, along with direct consultation efforts with area service provider partners helped craft the plan as presented.

The Citizen Advisory Committee, at their meeting on December 21, 2021, agreed that prioritization of the following four national objectives will be used to distribute Public Service Grant allocations: Senior Services (05A), Youth Services (05D), Battered & Abused Spouses (05G) and Other (05Z) to be used for the support of Auburn's community garden and food security programs.

The consultation process also entailed direct correspondence with dozens of area service providers. By educating them on the specifics of the qualified population as defined by HUD in CPD notice 21-10 this outreached further solicited quantifiable or anecdotal narratives which may serve to highlight unmet needs they regularly encounter. Additional meetings were held with members of a new regional homelessness service provider coalition and the MaineHousing HUB Coordinator housed within Lewiston Housing Authority. The information contained within these letters and discussed at these gatherings highlighted the lack of unreliable data to effectively quantify the size and needs of the at-risk community as defined.

Adoption of the CDGB and HOME Action Plans and budgets require a 30-day public comment period. This plan was made available for further public input on June 1, 2022. This is concluded with a Workshop with the City Council and a final Public Hearing. The Public Notice for these hearings as well as the solicitation of public input was run in the Sun Journal, was posted on the city's website and social media accounts to solicit the maximum input possible. The Action Plan & supplemental information were available on the City's website.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Comments received will be summarized here.

6. Summary of comments or views not accepted and the reasons for not accepting them

Comments responses will be summarized here.

7. Summary

STRATEGY #1: PROVIDE SAFE & AFFORDABLE HOUSING

Description: Auburn's Funds from the CDBG program will be used to provide matching funds to leverage the city's Lead Hazard Control program. This will greatly increase community impact by focusing on reducing the amount of hazardous housing units occupied by children and low-to-moderate income families. Additional new unit development projects will begin utilizing previous-year HOME funds. These units are not expected to be completed within the current project year but will be included in production goals in the subsequent 2 Action Plans.

Anticipated Outcomes: 25 Rental Units Rehabilitated, 10 Homeowner Units Rehabilitated, 1 Rental Unit Created, 3 Homeowner Housing Units Created, 30 Tenant-households Rental Assistance, 5 Homebuyers assisted

STRATEGY #2: IMPROVE INFRASTRUCTURE & REDUCE BLIGHT

Description: Funds will be used to address blight remediation, continue the Neighborhood Challenge grant program as well as continue the development of publicly owned infrastructure and amenities within targeted neighborhoods. Additional focus will be placed on addressing distressed buildings and code violations.

Anticipated Outcomes: 1,000 Persons Assisted.

STRATEGY #3: PROMOTE JOBS AND ECONOMIC OPPORTUNITY

Business Loans will be provided to businesses city wide, with a focus on promoting entrepreneurship through the development of the Auburn Incubator Kitchen & Learning Center, a facility located at Pettengill road. This programming is supplemented by funds previously approved within the CDBG-CV budget.

Anticipated Outcomes: 10 Business Loans

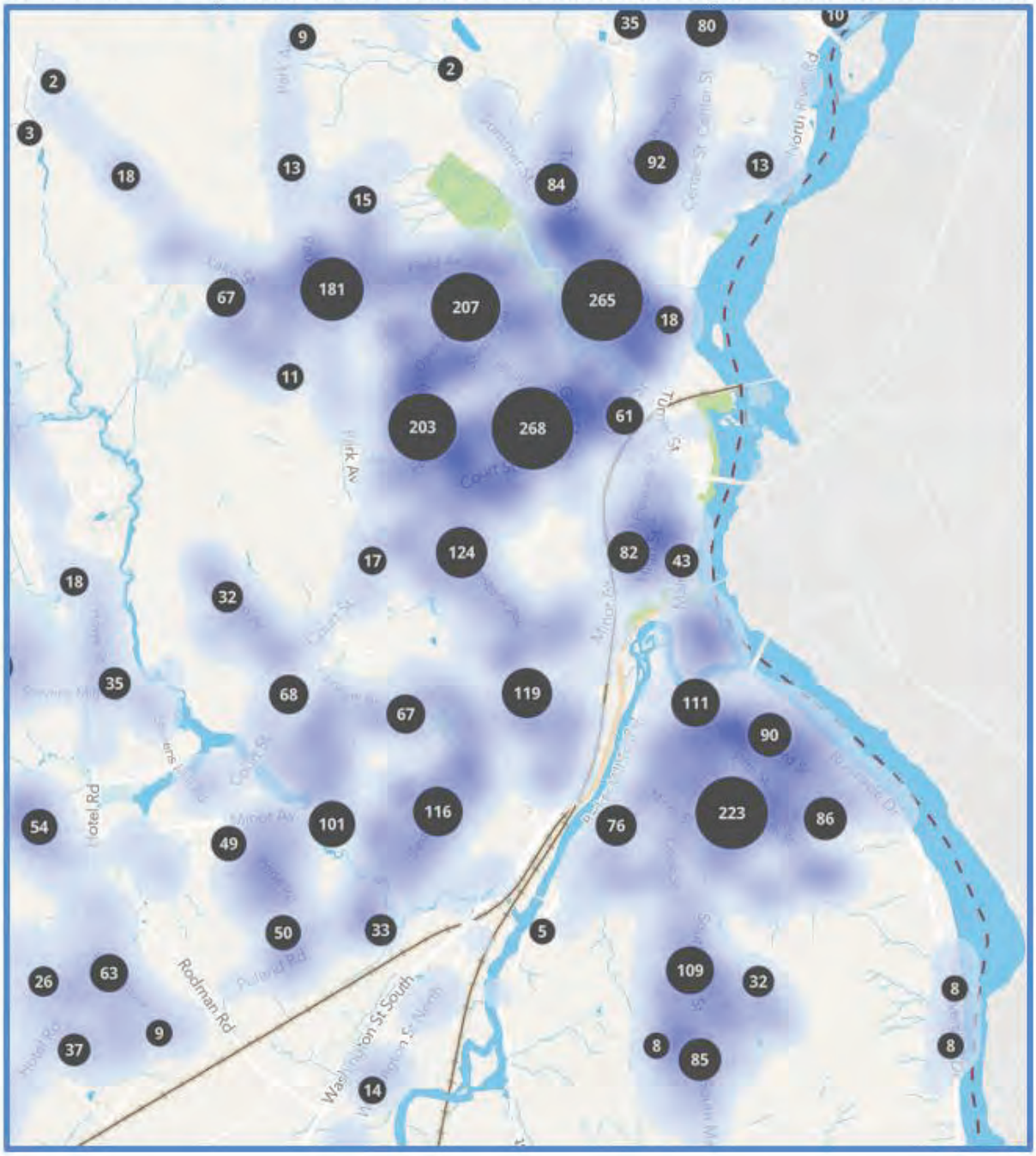
STRATEGY: PROVIDE ESSENTIAL SERVICES

Description: The Citizen Advisory Committee recommended setting 4 qualified services as budgetary priorities. The committee agreed to focus the Public Service budgets on, in order of priority, Senior Services (05A), Youth Services (05D), Battered and abused Spouses (05G) and Other (05Z) which is reserved to support the City's community garden and food security programs.

Anticipated Outcomes: 500 Persons Assisted.

Identified: Auburn Neighborhoods with high concentration of homes built prior to 1978.

These homes have a potential for Lead Paint Hazards which causes negative health effects in children.



PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	AUBURN	
CDBG Administrator	AUBURN	City of Auburn Business & Community Development
HOPWA Administrator		
HOME Administrator	AUBURN	City of Auburn Business & Community Development
HOPWA-C Administrator		

Table 1 – Responsible Agencies

Narrative

In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds. Historically, ten percent of the current year allocations and program income combined can be set aside for administration of the HOME program. Auburn, serving as the program sponsor, utilizes 70% of these Admin funds to cover the overall administration of the program for the Consortium. Lewiston utilizes the remaining 30% for their administration costs. The balance of current year allocations is then divided evenly between both cities to provide programing. This agreement is set to be updated and re-approved within PY22. Any negotiated changes or updates to the agreement will be included within subsequent action plans.

The current consortium agreement includes provisions that each member city is responsible for conducting programs and required monitoring in compliance with HUD regulations. This agreement also outlines the responsibility of the City of Auburn, in its role as Representative Member, to step in and to manage and monitor another member's programs upon receipt of written notification of any member that may not be able to meet the standards established by HUD. At this time no notice has been given.

Consolidated Plan Public Contact Information

The PY22 Action Plan is the 3rd year of the 2020-24 Consolidated plan. Comments may be submitted at any time to the Auburn Community Development Office, 60 Court Street, Auburn, ME 04210, tel. 333-6601 or via e-mail at CDBG@auburnmaine.gov

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

In addition to a public survey and meeting of the Auburn Citizens Advisory Committee the city of Auburn has been in continual dialogue with Maine State Housing, the Auburn Housing Authority, private developers, and community service providers in a concerted effort to develop new communications channels. These efforts are substantially focused on activities which address the needs of individuals who are homeless, at risk of homelessness or otherwise identified as a Qualified Population (QP) under the HOME-ARP program requirements.

This Annual Action plan can and should recognize the tandem development and submissions of the Annual Action plans and the HOME-ARP plan. The development of these two plans included direct outreach and solicitation of needs assessment data from organizations and partners as outlined below.

The city has also increased its direct consultation and resiliency planning with the local Emergency Management Agency, state, and local health agencies as well as first responders such as local Police, Fire and Sherriff departments. These partnerships are in a response to emergent climate changes, civil emergencies such as homelessness, food insecurity and substance/mental health concerns within the community.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The Maine State Housing Authority works with homeless service providers and other organizations toward a shared goal of preventing and eliminating homelessness in Maine. Collaborative efforts include the Continuum of Care (COC) a group of service providers serving a particular geographic area who work together to develop programs that address homelessness. Lewiston and Auburn are part of the Maine State Continuum of Care. This plan also includes the recent appointment of a Hub Coordinator housed within the Lewiston Housing Authority. This position will serve as a coordinated entry position for the COC services as well as a point for consolidating locally generated homelessness service data.

Locally, providers who address the continuum of homeless services for the area collaborate through the Lewiston-Auburn Alliance for Services to the Homeless (LAASH). LAASH works to improve access to services and housing for persons who are homeless or at risk of homelessness. This group shares information and strengthens cooperation among local agencies and homeless providers, identifies gaps in services, increases public awareness about homeless issues, and seeks funding to service the homeless and at-risk. The group meets monthly to focus on local homeless issues and provide a forum for educating its members. Auburn and Lewiston Community Development staff participate in LAASH,

and a consultation meeting with LAASH informed the needs and priorities of the Consolidated and Action Plans.

During consultation the ACDO identified that the traditional assessments and sources of data would not adequately demonstrate a modern GAP analysis for the identified Qualified Populations (QPs) for two specific reasons. First, traditional sources of data, such as the American Community Survey (ACS) or the Comprehensive Housing Affordability Strategy (CHAS) were most recently completed in 2019, prior to the onset of the Covid-19 pandemic. Second, the ongoing impact of the Covid-19 pandemic has negatively impacted more recent efforts to update this traditional data, including regional Point in Time (PIT) studies. Many of these annual studies have been put on hold altogether, or recent surveys have demonstrated detrimentally small respondent numbers.

Instead, the ACDO cultivated local data sources from other public housing providers, private and government health, mental health, and emergency service providers. By using data generated by the Auburn Fire Department's incident reporting system the ACDO confirmed officers had 198 separate encounters with homeless individuals from March 2020 to March 2022 with the second year containing 113 recorded encounters. This establishes a 34% increase from the previous year, a relation directly inverse to the trend demonstrated by state-level assessments. Of the 51 contacts with homeless individuals that the Auburn Fire Department serviced in the last 3 months, 87% if those involved substance abuse, Anxiety/psychiatric individuals, or those with exposure to the elements.

In order to combat the lack of recent, or post-covid data the ACDO employed tactics to collect meaningful and informative data regarding the size, demographic makeup and unmet needs of the local population. ACDO staff has reached out to local homeless service providers, community advocates, educational institutions, veterans' groups, community action programs, state agencies, domestic violence organizations, public housing authorities, and mental healthcare providers. This outreached included an appeal to these organizations to provide quantifiable data on hand or anecdotal narratives which may serve to highlight unmet needs they regularly encounter.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

On October 27th, 2021, Maine Housing and the CoC held a focus group to assess needs of homeless persons service providers and establish funding priorities. 59 persons were in attendance including homeless persons, and representing state, federal and local government staff, Senator King's office, housing providers, homeless shelters, interested citizens, mental health, health, nutrition, and substance abuse providers. The Auburn-Lewiston Consortium is not an ESG recipient, however there are multiple area homeless agencies that deal directly with the ESG program administered by Maine Housing.

The City of Auburn has integrated not only the Community Development Office but their General Assistance and Public Health Offices to combined efforts with groups like LAASH and its constituent parts. These three offices within Auburn have met with and continue to share resources and coordinate services and referrals with the HUB Coordinator. New positions created within the HOME-ARP plan will work in partnership with the HUB Coordinator to provide outreach and direct services to qualified populations of homeless and at-risk residents.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

In 2017 LAASH membership agreed that as a group, LAASH did not have the capacity to undertake the work and the expense of updating the 2009 10-year plan to end homelessness. LAASH members agreed to use the Statewide Homeless Council's updated plan as the on-going framework for advocacy and assessments. Unfortunately, before the creation of the HUB Coordinator position to be housed locally the data collection and service coordination provided under this fell short of expectations. Organizations initially bought into the HMIS system locally ceased to enter data and the local homelessness counts regularly under-reported the actual populations.

Statewide Homeless Council went through the process of updating their plan to end homeless in 2017, which served as a guide for LAASH members. The interaction with CoC service providers was revisited in June of 2021 during the Maine Homeless System Re-Design Initiative. This report detailed new funding priorities and access to care processes for all of the local service hubs which utilize ESG funds. This new effort is welcomed locally and ACDO staff have worked to dovetail the current Action Plan and HOME-ARP plan to fit within identified gaps in the continuum of care. Primarily, these gaps have been identified at the early intervention and crisis response phase of homelessness. By utilizing new funding sources, the ACDO will be able to establish itself as a consistent resource for the HUB Coordinator and the COC system.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	MAINE STATE HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted as data source for Point in Time reporting as well as continued coordination of the Continuum of Care. Consultation and coordination of activities is on-going. ACDO staff has consulted with the MSHA HUB Coordinator to ensure that plans being developed will be complimentary in nature.
2	**Agency/Group/Organization**	Maine Department of Labor
	Agency/Group/Organization Type	Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. MDOL is a great resource for labor information that informs community leaders as they make decisions that affect the local economy. Consultations with MDOL regarding workforce development efforts within the city is ongoing.

3	**Agency/Group/Organization**	Veterans Inc
	Agency/Group/Organization Type	Services - Housing Services-homeless Services-Health
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Needs - Veterans
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey and participates in the LAASH group. It is anticipated that Veteran's Inc. will continue to participate in advocating for homelessness and other veteran concerns.
4	**Agency/Group/Organization**	Community Clinical Services
	Agency/Group/Organization Type	Services-Health Health Agency
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. There is an opportunity to increase coordination with Community Clinical Services with other service providers serving the homeless.
5	**Agency/Group/Organization**	AUBURN HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA Service-Fair Housing

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. Auburn Housing will remain a partner in executing multiple activities anticipated in the consolidated plan, such as TBRA and Community Housing Development. Consultation and development activities with AHA are on-going.
6	**Agency/Group/Organization**	WESTERN MAINE COMMUNITY ACTION
	Agency/Group/Organization Type	Services-Children Services-Employment Health Agency Other government - State
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. Western Maine Community Action will continue to help area residents access available resources and programs. Workforce development programing in coordination with WMCA is on-going.
7	**Agency/Group/Organization**	LEWISTON-AUBURN TRANSIT COMMITTEE
	Agency/Group/Organization Type	Other government - Local Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Anti-poverty Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. The Transit Committee provides valuable insight to local transportation policies that may affect housing decisions. The city of Auburn is continuing to work directly with the LA transit committee on transportation design and optimization assessments.
8	**Agency/Group/Organization**	Seniors Plus
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. The creation of the Senior Center in Auburn that Seniors Plus will increase program coordination with the Rec Department. SeniorsPlus is an existing Public Service grant awardee and works regularly with city staff.
9	**Agency/Group/Organization**	SAFE VOICES
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Victims of Domestic Violence Services-homeless Services - Victims
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. Safe Voices assists in carrying out homeless goals of the consolidated plan. They are one of the areas most active agencies for domestic violence victims. Safe Voices is an existing Public Service grant awardee and works regularly with city staff.

10	**Agency/Group/Organization**	COMMUNITY CREDIT UNION
	Agency/Group/Organization Type	Services-Education Business Leaders Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. The Community Credit Union has been making efforts in the community to provide banking services needed by low/mod households.
11	**Agency/Group/Organization**	RAISE-OP HOUSING COOPERATIVE
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. Raise-Op Coop has successful experience with the HOME and CDBG program and provides valuable insight to the housing market. City staff has met with Raise-op regarding the administration and founding of new, city constructed co-op housing options.
12	**Agency/Group/Organization**	LA Metro Chamber of Commerce
	Agency/Group/Organization Type	Services-Education Services-Employment Regional organization Business Leaders Business and Civic Leaders

	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey and community leaders regularly attend Chamber events. The Chamber provides valuable insight of the local economy and needs of area employers. City staff works regularly with the Chamber regarding workforce development activities.
13	**Agency/Group/Organization**	NEW BEGINNINGS, INC.
	Agency/Group/Organization Type	Services-Children Services-homeless Services-Education
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. New Beginnings is a local shelter servicing runaway and homeless youth.
14	**Agency/Group/Organization**	COMMUNITY CONCEPTS, INC.
	Agency/Group/Organization Type	Services - Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development Lead-based Paint Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Community Concepts works regularly with staff from both Lewiston and Auburn. They provide many needed services to area low/mod households, including housing, transportation, health, employment, and others. CCI has provided essential information and community needs data including the Emergency Rental Assistance program and community needs assessments.
15	**Agency/Group/Organization**	John T. Gorman Center
	Agency/Group/Organization Type	Civic Leaders Foundation
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey. They have four priority areas: improving educational achievement for young children; promoting successful transitions to adulthood for vulnerable older youth; helping struggling parents support their families and enabling low-income seniors to age in place.
16	**Agency/Group/Organization**	Maine Center for Disease Control and Prevention
	Agency/Group/Organization Type	Health Agency Other government - State
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency was consulted through public services survey and is relied upon for public health data. The department is responsible for the State's lead paint response and makes regular referrals to the city in the case of Elevated Blood Lead Level (ebll) cases in children. The city meets quarterly with CDC staff in relation to the Lead Hazard Control grant.

17	**Agency/Group/Organization**	Androscoggin Valley Soil and Water Conservation District
	Agency/Group/Organization Type	Agency - Managing Flood Prone Areas Agency - Management of Public Land or Water Resources Regional organization
	What section of the Plan was addressed by Consultation?	Hazard Management
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Androscoggin Valley Soil and Water Conservation District goals are determined by using recommendations from partners, the Natural Resources Assessment, and our their internal review process. These tasks are broken down as follows; providing technical assistance, improving public relations, improving outreach and educational assistance improving funding opportunities
18	**Agency/Group/Organization**	Androscoggin Land Trust
	Agency/Group/Organization Type	Agency - Managing Flood Prone Areas Agency - Management of Public Land or Water Resources Regional organization
	What section of the Plan was addressed by Consultation?	Conservation
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Androscoggin Land Trust regularly works with community leaders with the conservation along the Androscoggin River. The strategic focus of the Androscoggin Land Trust includes conserving areas of ecological importance, working farms, and forests, and the promotion of outdoor experiences on and around the Androscoggin River Greenway. The ALT is also a managing member of the Auburn Community Gardens and meets regularly with city staff.

19	**Agency/Group/Organization**	COMMUNITY CONCEPTS FINANCE CORPORATION
	Agency/Group/Organization Type	Services-Education Services-Employment Regional organization Community Development Financial Institution
	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	CCFC is a CDFI providing financial educational resources and access to capital for regional families and businesses. Their program directors were consulted during the creation of this plan and they will be an ongoing partner in the development and delivery of improved program impacts. City staff makes regular referrals to CCFC financial coaching and Homebuyer educational classes as a requirement of o-going education for program participants.
20	**Agency/Group/Organization**	Androscoggin Valley Council of Governments
	Agency/Group/Organization Type	Services-Education Other government - Local Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	AVCOG is a regional council of government providing financial educational resources and access to capital for regional businesses. Their program directors were consulted during the creation of this plan and they will be an ongoing partner in the development and delivery of improved program impacts.

21	**Agency/Group/Organization**	Auburn Police Department
	Agency/Group/Organization Type	Services - Victims Other government - Local
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consulted with Chief of Police regarding homelessness activities and strategies. Auburn Police Department is a partner in the newly developed Homelessness outreach and crisis mitigation efforts carried out by Community Development staff.
22	**Agency/Group/Organization**	Auburn Fire Department
	Agency/Group/Organization Type	Services - Victims Other government - Local
	What section of the Plan was addressed by Consultation?	Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consulted Fire Chief regarding interactions and unmet needs of homeless population. Auburn Fire Department is a partner in the newly developed Homelessness outreach and crisis mitigation efforts carried out by Community Development staff.
23	**Agency/Group/Organization**	AUBURN SCHOOL DEPARTMENT
	Agency/Group/Organization Type	Services-Education Child Welfare Agency
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation with School Department and Adult Education staff regarding Mckinney Vento services and transportation needs of students. Auburn School Mckinney Vento liaison is a partner in the newly developed Homelessness outreach and crisis mitigation efforts carried out by Community Development staff.
24	**Agency/Group/Organization**	Lewiston-Auburn Alliance for Services to the Homeless (LAASH)
	Agency/Group/Organization Type	Regional organization Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Cities of Lewiston and Auburn participate as Members of LAASH and gather monthly to discuss service needs and coordinating responses.
25	**Agency/Group/Organization**	New Auburn Neighborhood Watch
	Agency/Group/Organization Type	Neighborhood Watch Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Local security
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Held multiple listening session with the Auburn Neighborhood watch group regarding affordable housing and homelessness services.

26	**Agency/Group/Organization**	Androscoggin Emergency Management Agency
	Agency/Group/Organization Type	Housing Services - Victims Agency - Managing Flood Prone Areas Agency - Emergency Management Other government - County Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The city consulted with the EMA Director in preparation of this Action Plan. The city reviews and participates in the development of the Natural Hazard Mitigation plan which focuses on community planning and preparedness involving environmental climate changes (including flooding and storm impacts), community lifelines and housing.

Identify any Agency Types not consulted and provide rationale for not consulting

No agency types were intentionally not consulted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Maine State Housing Authority	The Cities of Auburn and Lewiston have formed a consortium to qualify for HOME Investment Partnerships Program funds whereby the grant is shared by both cities. The 3-year HOME Consortium plan includes a consultation process with Maine State Housing Authority for the recertification. Lewiston and Auburn Community Development staff both participate in the Lewiston-Auburn Alliance for Services to the Homeless (LAASH), which meets monthly. As part of the process to develop the 2020-2024Consolidated Plan, the Auburn and Lewiston Community Development staff work closely on both the development and implementation of the plan. Both Lewiston and Auburn have continued the development of new, affordable rental units. Coordination of General Assistance and Public Health offices with the Coordinated entry system and emergency shelters.
Natural Hazard Mitigation Plan	Androscoggin EMA	This plan addresses the potential impacts of climate change and social emergencies utilizing the HAZUS method, a model for estimating the risk of damage from earthquakes, floods, solar flares, hurricanes, and other known hazards. This plan identifies a potential 866 households (1,225 individuals) which would need sheltering in response to flood impacts. Additionally, this plan estimates 2,323 individuals which would require emergency shelter options in response to a potential increase in hurricane damage.
Analysis of Impediments to Fair Housing Choice	Maine State Housing Authority	Published in October 2019, this plan recognizes similar impediments at the state level as are seen locally, including: Lack of Affordable Housing unit development, Racial and Ethnic barriers and zoning difficulties posed by NIMBYism efforts (discrimination by communities and neighbors).
Hope & Opportunity for ME	Coordinated Community Plan (CCP) Planning Committee	This HUD funded Youth Homelessness Demonstration Program (YHDP) is the result of a $3.3 mil planning and Technical Assistance grant to assess and respond to the needs of homeless youth and young adults in Maine. Plan identifies additional partners including Department of Education, DHHS and identified coordinated entry positions. This initiative will not only increase the efficacy of data collection and analysis within the HMIS system but increases coordination between service provider partners.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Comprehensive Plan, 2021	City of Auburn	This plan focuses on established priorities which provide for the quality of life for not just the current, but future residents of Auburn. It outlines specific zoning and services to be equitably provided across the diverse types of neighborhoods, from rural to high-density urban and everything in between.
Strategic Plan, 2019	City of Auburn	The city Strategic Plan establishes 3 committees which oversee the implementation and progress being made as outlined within the city Comprehensive Plan.

Table 3 – Other local / regional / federal planning efforts

Narrative

The City of Auburn has incorporated the General Assistance office as well as the Public Health officer into regular, weekly meetings with Community Development Staff. This new internal integration of service delivery provides a more holistic approach to the delivery of services.

Auburn and Lewiston are both comprehensively covered by broadband providers: Spectrum, Consolidated Communications, GWI, RedZone Wireless, and available satellite providers. Cost is often the major factor whether a household is connected or not, especially for the rural LMI households or those located further away from the public right of way. Many of the providers offer programs for qualifying low/mod households, including Spectrum and Consolidated Communications. Lewiston and Auburn are both served by multiple broadband providers, but increased competition typically benefits consumers.

The consortium is working regularly with the Androscoggin County Emergency Management Agency in the assessment and preparation of increased natural hazards such as floods, hurricanes, and civil emergencies. This type of resiliency planning is in response to a measured increased in climactic changes (as caused by climate change & solar flares) as well as civil needs including food insecurity, migration/immigration and housing stresses within Auburn and Lewiston. Lewiston and Auburn are located on the banks of the Androscoggin River. The potential for increased flooding in the 100-year floodplain may increase due to climate change. the most recent EMA flood impact analysis report indicates a potential 866 displaced households (1,225 individuals) estimated to need emergency shelters during a major flood event.

Many rural house lots in the area are supplied by personal wells that can run dry if a drought is experienced. The most recent severe drought recorded which received a formal disaster designation in 2020 and provided support to farms and low income homes through the US Department of Agriculture. Drought has been more regularly addressed through consultation with the City Water department or emergency

repair program for private wells. Risk mitigation by flooding from the Androscoggin river or its tributaries is continually monitored and responses are being developed with regular partnerships with AVCOG, Androscoggin Land Trust & the Androscoggin Valley Soil & Water Conservation.

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

For this PY22 annual Action Plan further improvements to increase participation are incorporated. The addition of an annual, locally focused, and managed housing and community needs assessment within this revision will allow for greater programmatic efficiencies to be implemented based on sound data.

These changes include more pragmatic improvements which directly respond to the current needs of community residents. The primary need is to solicit greater participation in the identification of local community needs on an annual basis. By developing and refining a local survey program, which demonstrates more diversity while eliminating traditional (or Covid-19) barriers to participation, city staff will be better prepared to respond to new and rapidly changing needs of Auburn and Lewiston residents.

In response to the difficulties in public meetings caused by Covid-19 precautions and the lack of committee participation the Community Development staff took a combination of new and traditional efforts to better solicit input from a wider breadth of the Auburn community. By simultaneously using technology and social media to appeal to people at home or on their mobile devices in 5 different languages greater accessibility and inclusiveness was achieved in the development of this plan.

Still, traditional methods of paper surveys, disseminated though dozens of service provider partners and area non-profits allowed for the additional inclusion of input from community members with substandard access to and capabilities managing internet connectivity and fluency. This will remain an essential part of diversifying community engagement and outreach efforts to ensure that as the methods of operation modernize, no members are left behind.

Additionally, and in coordination with the development of the HOME-ARP plan Auburn and Lewiston staff reached out to multiple homeless service providers, first responders and educational institutions. This input was incorporated into the development of both plans.

In order to combat the lack of recent, or post-covid data the Community Development staff employed the following two tactics to collect meaningful and informative data regarding the size, demographic makeup and unmet needs of the local population. First, staff has reached out to local homeless service providers, community advocates, educational institutions, veterans' groups, community action programs, state agencies, domestic violence organizations, public housing authorities, and mental healthcare providers. This outreach included an overview of the qualified population as defined by HUD in CPD notice 21-10 as well as potential situations in which these populations may be encountered which they may not have considered in the past. This outreached concluded an appeal to these

organizations to provide quantifiable data on hand or anecdotal narratives which may serve to highlight unmet needs they struggle to respond to.

The second approach was to release a broad community survey focused specifically on the impact of Covid-19 on access to adequate housing and essential services. This survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Comment Period June 1 - June 30	Non-targeted/broad community	Solicitation of written feedback directed to CDBG@auburnMaine.gov. Plan posted on website, promoted on SM, city eblast list and advertised in newspaper.			
2	Public Hearing	Non-targeted/broad community	Public Hearing at City Council broadcast via Local Cable Access & City Youtube Channel on May 2, 2022	None received		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Newspaper Ad	Non-targeted/broad community	Public Hearing notice published with a link to the Action plan and solicitation of written input directed to cdbg@AuburnMaine.gov ran in local newspaper			

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
				Numerical data developed though the community survey will be summarized within the GAP analysis below. A selection of narrative input received during the local survey is included below. This input, sourced from over 1,000 households across two surveys, was key to filling data gaps caused by the Covid-19 pandemic and demonstrates the changed landscape residents and service providers need to navigate and adapt to in order to better address the		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	Printed Survey	Minorities Non-English Speaking - Specify other language: Swahili, Portuguese, Somali & French Non-targeted/broad community Residents of Public and Assisted Housing	Printed Survey distributed at Food Pantries, educational centers, public housing facilities and municipal offices. CDBG/HOME Community Survey soliciting input on housing, service and Covid-19 impacts on residents.			

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
7	Public Meeting	Non-targeted/broad community	18 residence attended New Auburn Neighborhood watch listening session.	8 individuals provided comments including the positive feedback regarding the Section 8 voucher program, concerns regarding over-housed individuals (singles living in 3 bedroom units, counting of adult unhoused homeless, questions regarding why we count homeless in shelters, whether there would be a cost savings for the city to consolidate 7 private shelters into one larger shelter, and concerns over increased pan-handling.		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
8	Public Meeting	Local Landlord Association	Staff presented to the Lewiston/Auburn Landlord association on January 25th.	Landlords need more funds available for unit rehabilitation. Concerns regarding the Fair Market Rent caps given prevailing rental rates. Good experiences with section 8 voucher programs relocation expenses during rehab prevents projects from starting.		

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Funding for the Community Development Program is derived from Community Development Block Grant and HOME Investment Partnerships Program allocations for both Auburn and Lewiston. These yearly allocations are supplemented by their respective program income derived from current loan principal paybacks expected within the program year and unspent funds carried over from prior years. Allocations are presented as expected to be indicated on our FY22 award letter from HUD and internal reports designating available program income and available. Prior year resources include unspent funds from both CDBG and HOME funds. Unspent CDBG funds from program year 2019, 2020 and 2021 are included. Unspent funds from the HOME program include program years 2015, 2016, 2017, 2018, 2019, 2020 and 2021 are included. These unspent funds are the result of previous year projects which may have been canceled as well as balances of funds initially set aside for TBRA, rehab or public service grants whose expenditures fell short of budget expectations. Within this Action Plan these funds are being allocated to new projects as indicated and within guidelines established by HUD.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	539,980	132,000	889,247	1,561,227	1,387,716	Expected amount available for the remainder of the Con Plan consists of the next two year annual allocations combined with the expected program income to be received during this period.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	514,791	56,000	1,642,343	2,213,134	1,051,500	Expected amount available for the remainder of the Con Plan consists of the next two year annual allocations combined with the expected program income to be received during this period.

Table 2 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

This workplan has taken a proactive approach to engaging with 3rd party community service providers. In an attempt to eliminate duplication of services, and increase the impact of each federal dollar, new programmatic partnerships are being crafted which will improve the community impact and public services offered within Auburn, creating a new level of accountability for program impact monitoring.

Community Development funds which leverage additional resources are primarily the public service activities and multi-unit rehab projects which require owner contributions. The addition of the Lead Hazard Reduction program will also utilize a portion of CDBG funds to cover match requirements for income qualifying owners. These funds effectively leverage private and state funded programs. Investor-owned properties require a 25% match. Housing programs which target owner-occupied low-income populations have no match requirements.

Federal HOME funds will leverage private resources primarily through rental development projects. Auburn and Lewiston each have a rental development projects planned and in construction. The city of Auburn is working on new unit development on a city owned property located on Fern St. The City of Lewiston is developing a project for the Choice Neighborhood development which will leverage private capital contribution. These funds will be added to the previous year match carry forward to satisfy the requirement.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Auburn is working with a to-be-determined developer to utilize 2 lots of publicly owned property for the development of multi-unit housing within the current project year. Additionally, Auburn's Economic Development Office has multiple city-owned properties currently under contract to sell to private commercial developers.

Discussion

Funding from prior year resources is notable within this budget, yet these numbers are not included in the amount expected for the remainder of the Con Plan. This number is the sum of new allocations and Program income for the next 2 program years.

If there is a reduction in the annual allocation from HUD or a shortfall in expected program income an equally proportionate reduction will be made to the budget. These reductions will come from the Affordable Housing budget.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Provide Safe and Affordable Housing	2020	2024	Affordable Housing Public Housing Homeless Non-Homeless Special Needs		Provide Safe and Affordable Housing	CDBG: $608,055 HOME: $654,043	Rental units constructed: 5 Household Housing Unit Rental units rehabilitated: 25 Household Housing Unit Homeowner Housing Added: 3 Household Housing Unit Homeowner Housing Rehabilitated: 10 Household Housing Unit Tenant-based rental assistance / Rapid Rehousing: 30 Households Assisted
2	Promote Economic Opportunities	2020	2024	Non-Housing Community Development		Promote Economic Opportunities	CDBG: $50,000 HOME: $0	Businesses assisted: 10 Businesses Assisted
3	Provide Essential Services	2020	2024	Homeless Non-Homeless Special Needs		Provide Essential Services	CDBG: $100,000 HOME: $0	Public service activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Improve Infrastructure and reduce blight	2020	2024	Non-Housing Community Development		Improve Public Infrastructure and remove blight	CDBG: $660,000 HOME: $0	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1000 Persons Assisted

Table 3 – Goals Summary

Goal Descriptions

1	**Goal Name**	Provide Safe and Affordable Housing
	Goal Description	Rental units rehabilitated: 25 Household Housing Unit Homeowner Housing Rehabilitated: 10 Household Housing Unit Tenant-based rental assistance / Rapid Rehousing: 30 Households Assisted
2	**Goal Name**	Promote Economic Opportunities
	Goal Description	Businesses assisted: 10 Businesses Assisted
3	**Goal Name**	Provide Essential Services
	Goal Description	Public service activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
4	**Goal Name**	Improve Infrastructure and reduce blight
	Goal Description	Public service activities other than Low/Moderate Income Housing Benefit: 1000 Persons Assisted

AP-35 Projects - 91.420, 91.220(d)

Introduction

The following tables list the activities and programs which will be supported using HUD program funds during the 2022-23 program year. The objectives are to:

1. Provide Safe and Affordable Housing
2. Improve Public Infrastructure and Eliminate Blight
3. Promote Economic Opportunities
4. Provide Essential Services

The difference between the totals in the AP-35 & the AP-20 are due to administrative expenses.

#	Project Name
1	2022 Housing Rehab
2	2022 Housing Construction
3	2022 TBRA
4	2022 Homebuyer Assistance
5	2022 Economic Development
6	2022 Public Service
7	2022 Public Improvements
8	2022 Administration
9	2022 Lewiston Admin
10	2022 Lewiston Security Deposits
11	2022 Lewiston HOME Construction

Table 4 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities for Auburn focus on improving the quality and safety of existing housing stock as directed by the city strategic plan. Increased attention is being given to seniors and households with children who are facing food insecurity. Most Public Services are being provided directly by city staff with allocations being based on historic service delivery and impact reports.

Lewiston priorities for HOME funds are based on the need to increase affordable housing units.

Obstacles for addressing underserved needs are focused on food insecurity and homelessness. These conditions are being addressed by both this annual action plan and the HOME-ARP plan to be released.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	2022 Housing Rehab
	Target Area	
	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	CDBG: $618,054 HOME: $140,299
	Description	Rehabilitation of existing single and multi units.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 25 Rental Units Rehabilitated, 10 Homeowner Units Rehabilitated. Occupants will be qualified low-to-moderate income households if critical health and safety concerns identified in the residential unit including lead hazards or other code violations.
	Location Description	Within Auburn.
	Planned Activities	$500,000 in Critical Repair programs for addressing essential housing repairs and Code Violations. $150,000 in Grants provided to Low-to-moderate income residents enrolled within the Lead Hazard Control Program. $98,353 in funding for additional Lead testing, Rehab and program delivery services.
2	**Project Name**	2022 Housing Construction
	Target Area	
	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	HOME: $1,000,000
	Description	Creation of new residential housing units.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 1 Rental Unit Created, 3 Homeowner Housing Units Created on city owned property located on Fern St. Additional planning for subsequent rental unit development is to begin with CHDO or developer on TBD projects.
	Location Description	Within Auburn.

	Planned Activities	Creation of new 4-unit facility on city owned property on Fern St. This will entail 3 unit, owner-occupied co-op housing with 1 rental unit. Additional projects are being identified with certified Community Housing Development Organization and/or private developers.
3	**Project Name**	2022 TBRA
	Target Area	
	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	HOME: $25,000
	Description	Tenant-based Rental Assistance in the form of Security Deposits for qualified Low-to-moderate income households.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes: 2**0 Tenant-households provided Security Deposits
	Location Description	Within Auburn.
	Planned Activities	Providing security deposits for qualified low-to-moderate income households.
4	**Project Name**	2022 Homebuyer Assistance
	Target Area	
	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	HOME: $205,000
	Description	Down payment assistance for qualified low-to-moderate income residents.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 5 qualified low-to-moderate income homebuyers assisted with downpayment assistance.
	Location Description	Within Auburn.

	Planned Activities	Providing first-time homebuyer resources including education and down payment assistance for qualified low-to-moderate income households.
5	**Project Name**	2022 Economic Development
	Target Area	
	Goals Supported	Promote Economic Opportunities
	Needs Addressed	Promote Economic Opportunities
	Funding	CDBG: $50,000
	Description	Business Loans will be provided to businesses city wide, with a focus on promoting entrepreneurship through the development of the Auburn Incubator Kitchen & Learning Center, a facility located at Pettengill road. This programming is supplemented by funds previously approved within the CDBG-CV budget.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 10 Business Loans to qualified low-to-moderate income business owners
	Location Description	Within Auburn.
	Planned Activities	Providing working capital micro-loans to qualified low-to-moderate income entrepreneurs.
6	**Project Name**	2022 Public Service
	Target Area	
	Goals Supported	Provide Essential Services
	Needs Addressed	Provide Essential Services
	Funding	CDBG: $100,000
	Description	Public Service funds will be used to provide Senior Services (05A), Youth Services (05D), Battered and abused Spouses (05G) and Other (05Z) which is reserved to support the City' s community gardens and food security programs.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 500 qualified lot-to-moderate income Persons Assisted

	Location Description	Within Auburn.
	Planned Activities	$62,000 of the Public Service Funds will be used to service the Grab-n-Go program operated out of the PAL Center. This food pantry and delivery service has assisted low-to-moderate income residents have reliable access to essential foods throughout the pandemic. This program currently supplies food from its Union St neighborhood location as well as offering delivery services to LMI and Senior living facilities including Roak Block, Barker Mills and Esplanade which are operated by the Auburn Housing Authority. Additional funding provided within this Action Plan will sustain the current 350 residents relying on regular food deliveries as well as allow the program to expand its capacity to another 80 residential units located within the Lake Auburn Town house facilities, another Auburn Housing operated residential facility. As part of these services Recreation/PAL center staff will be increasing support and coordination with the existing Community Garden programs. Additional $20,000 funding support for summer recreation scholarships will be provided to not only allow for equitable access to experiential opportunities to LMI youth, but also serves as structured childcare for working parents during the summer months. This compound benefit has proven to provide the broadest demographically available services within the city's historic public service funding. Expanding on the positive, proven Public Services offered directly by the city of Auburn will increase the city's response to the prevailing nutritional and economic needs of its most historically and economically disadvantaged residents and neighborhoods. Lastly, Public Service financing of $18,000 will continue for Safe Voices, who have effectively and proactively provided additional services and housing for domestic abuse victims and families throughout the pandemic. This funding decision is supported by the public service priorities established by the Citizen Advisory Committee.
7	**Project Name**	2022 Public Improvements
	Target Area	
	Goals Supported	Improve Infrastructure and reduce blight
	Needs Addressed	Improve Public Infrastructure and remove blight
	Funding	CDBG: $660,000

	Description	Funds will be used to address blight remediation, continue the Neighborhood Challenge grant program as well as continue the development of publicly owned infrastructure and amenities within targeted neighborhoods. Additional focus will be placed on addressing distressed buildings and code violations.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 1,000 Persons Assisted through improved public infrastructure and the removal of blight and heath hazards.
	Location Description	Within 3 qualified low-to-moderate income census tracts (New Auburn, Downtown & Union St).
	Planned Activities	Funds will be used to address health and blight conditions including lead based paint on publicly owned buildings. Additional funds will be earmarked for the Neighborhood Challenge grant program that creates and improved public amenities within 3 qualified low-to-moderate income census tracts. $500,000 in Public Infrastructure projects $35,000 in Neighborhood Challenge Grants $125,000 in Spot/Blight remediation projects
8	**Project Name**	2022 Administration
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG: $133,173 HOME: $179,955
	Description	Personnel and administrative costs for delivering activities.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	

	Planned Activities	Administrative expenses for planning and delivering program activities. This includes 2 proposed planning grants, one HOME funded for Rental study and one CDBG funded Economic Development planning study.
9	**Project Name**	2022 Lewiston Admin
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	HOME: $33,838
	Description	Administration Expenses for Lewiston HOME program.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Administrative expenses for Lewiston HOME program.
10	**Project Name**	2022 Lewiston Security Deposits
	Target Area	
	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	HOME: $15,000
	Description	Tenant-based Rental Assistance in the form of Security Deposits.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes: 1**0 Tenant-households provided Security Deposits
	Location Description	Within Lewiston
	Planned Activities	Providing security deposits for qualified low-to-moderate income households.
11	**Project Name**	2022 Lewiston HOME Construction
	Target Area	

	Goals Supported	Provide Safe and Affordable Housing
	Needs Addressed	Provide Safe and Affordable Housing
	Funding	HOME: $614,042
	Description	Construction of new rental units.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	**Anticipated Outcomes:** 4 Rental Units Created. Additional planning for subsequent rental unit development is to begin with CHDO or developer on TBD projects.
	Location Description	Within Lewiston
	Planned Activities	Creation of new rental units within the Choice Neighborhood & Gauvreau Place projects. Additional projects are being identified with certified Community Housing Development Organization and/or private developers.

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

In Auburn, priority will be given to the Downtown (Census Tract # 101), The Union St Neighborhood (Census Tract # 103), and the New Auburn Area (Census Tract #105).

Geographic Distribution

Target Area	Percentage of Funds

Table 5 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The 2011-2015 American Community Census identified these 3 census tracts in Auburn where a majority of the households qualify as Low-To-Moderate Income levels. For this reason, these 3 tracts will be a focus of the city's affirmative marketing, outreach and translation services.

Discussion

Recently compiled GIS heat map data has also highlighted these 3 census tracts containing a majority of the city's homes which are at high risk for containing lead paint hazards. Additional resources for outreach, education and abatement services will be provided to these designated census tracts and funded through the recently acquired Lead Hazard Control & Healthy Homes grant.

Affordable Housing

AP-55 Affordable Housing - 91.420, 91.220(g)

Introduction

Annual Action plan targets providing TBRA to 35 homeless or near-homeless households in Auburn and Lewiston. Auburn's target for rehab of rental units is 25 units and rehab of 10 owner occupied homes. This will be accomplished by leveraging the Lead Hazard Control and Healthy Homes grant.

Auburn plans to develop 3 new owner occupied units and 1 rental unit at a single location on city owned property. Additional new unit development plans are currently underway and expect to have more HOME funded units to come online within subsequent Action Plans. Lewiston plans to develop 4 new HOME funded units.

Units funded with CDBG dollars must follow the city's Affordable Rent Standard. The definition of an affordable unit under this plan will be qualified as one that does not exceed HUD published Fair Market Rents (FMRs) for the current year. A unit is determined to fall within the FMR of a specific area by adding the contracted rent and the applicable utility allowance for the unit. For the purposes of CDBG funded projects, the sum of both numbers cannot exceed the FMR of a unit based on bedroom size as published by HUD annually. If the local housing authorities have adopted and been granted a community wide exception, then the affordable rent standard may increase to no more than 120% of the FMR for the local jurisdiction.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	8
Special-Needs	0
Total	8

Table 6 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	8
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	8

Table 7 - One Year Goals for Affordable Housing by Support Type

Discussion

The total one-year goals established above are for HOME funded production units only, and not indicative of the total Action Plan anticipated impacts as demonstrated more comprehensively on the AP-35.

Due in part to the Covid-19 pandemic, inflated construction costs and lack of contractors the new-unit development scheduled in the previous year were not carried out for projects within both cities. These plans will be carried over to this current action plan. Additional funding, as provided by the HOME-ARP allocation will add to the impact of services for rental assistance as well as the related services required to help families struggling with challenges other than scarcity of affordable units.

Additional steps will be made within this Action Plan to address a lack of racial equity in affordable housing programming as outlined referenced the city's 5-year Comprehensive Plan. This will be achieved by providing more direct outreach to residents within the Union St, Downtown and New Auburn census tracts. This outreach will be aided with new translated materials. These census tracts are qualified as being comprised of 51% or more low-to-moderate income households, as well as being the highest concentration of residential units having been built prior to 1978. Pre-78 homes have a higher potential for containing Lead-based paint hazards which cause negative health effects in children.

AP-60 Public Housing - 91.420, 91.220(h)

Introduction

Auburn and Lewiston have added multiple large affordable housing projects in the past few years. According to statistics maintained by Maine Housing Authority 243 new affordable housing units have been created with MSHA funding (including Auburn & Lewiston Consortium funds) between 2019 and 2022. These buildings offer modern affordable amenities to public housing residents. Auburn Housing Authority has been transitioning to a voucher-based system allowing more aid to residents using privately owned units.

Actions planned during the next year to address the needs to public housing

Auburn is partnering with Auburn Housing Authority and a to-be-determined 3rd party nonprofit to develop a co-op owned building on Fern St. Auburn Housing Authority is continuing its conversion into a voucher-based system which is intended to increase capacity. The city has a notable amount of previous year HOME funds to invest in new unit developments.

The city of Auburn has substantial market rate developments planned and/or permitted for construction within the next year. Some of these projects have faced local opposition at the planning board level. Three projects within three very different zones within the city have stirred controversy due to isolated neighborhood opposition but the city is still committed to develop new housing units to help alleviate the identified housing shortage and high rental rates that have been plaguing residents. The existence of NIMBYism and discrimination by communities and neighbors, as highlighted in MSHA's Analysis to the Impediments of Fair Housing Choice published in 2019, is not new but the Auburn administration and City Council has continued to demonstrate though their actions unified support for the development of new housing units within the city.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Auburn works with the Auburn Housing Authority and Community Concepts Finance Corporation to assist in the development of new homeowners through its homeownership program and related Homebuyer Education programs. Auburn has incorporated self-sustainability programs into its programs which provide free financial coaching and educational experiences as provided by a HUD certified housing or financial management counselor.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A

Discussion

Both Lewiston and Auburn are focusing on supporting resident owned multi-unit facilities in order to promote home ownership. The city of Auburn as created an online fair housing resource center after Covid-19 forced the cancelation of the traditional joint landlord and tenant summit. This resource center provides opportunities for tenant's access new tools to address tenant topics of interest as well as other resources that assist tenants become homeowners. This online resource center can be found at https://www.auburnmaine.gov/pages/neighborhood/housing-summit

AP-65 Homeless and Other Special Needs Activities - 91.420, 91.220(i)

Introduction

Auburn and Lewiston's homeless needs have historically been addressed through the Maine Balance of State Continuum of Care. Both Cities participate and sponsor the Lewiston-Auburn Alliance for Services to the Homeless (LAASH), a group of local homeless providers who gather monthly to address the gaps in services to the areas homeless. Additionally, the city of Auburn has integrated the Public Health & General Assistance Departments within the Business & Community Development Department. This re-alignment has led to direct integration of these overlapping service plans. The consultation process undertaken for this Annual Action Plan as well as the HOME-ARP plan has been guided by assistance from the Public Health Manager. Data regarding homeless and at-risk qualified populations has resulted in the development of a service-based plan under HOME-ARP which would see the creation and additional budgetary resources necessary to address the needs of this population. This plan has been developed in partnership with the HUB Coordinator located within Lewiston Housing Authority whose role is to better assess and coordinate homeless counts and resource development and delivery.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

This annual Action Plan has been developed in coordination with the Consortium HOME-ARP plan. The consultation processes engaged in the development of both of these plans is further described within the HOME-ARP plan but will be summarized below.

Prior to the development of the Home-ARP and the Auburn-Lewiston HOME Consortium Action Plan a comprehensive community needs survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received. This information, along with consultation efforts with area service provider partners helped craft the plan as presented.

The consultation process entailed direct correspondence with dozens of area service providers. By educating them on the specifics of the qualified population as defined by HUD in CPD notice 21-10 this outreached further solicited quantifiable or anecdotal narratives which may serve to highlight unmet needs they regularly encounter. These letters included responses from the Chief of the Auburn Police Department, the Chief of the Auburn Fire Department, The Mckinney-Vento Liaison of the Auburn School Department, the Assistant Director of Auburn Adult Education, as well as direct consultation with the developers of the Lewiston-Auburn Transitional Resource Center.

Addressing the emergency shelter and transitional housing needs of homeless persons

The Auburn-Lewiston Home Consortium includes the entirety of both cities. Much of the data provided at the state level is by Androscoggin County or as the Lewiston-Auburn Metropolitan Statistical Area (which includes 12 surrounding municipalities). Both Auburn & Lewiston serve as a regional service HUB for the area meaning that even though HOME-ARP funds are designated for residents of the two cities, the needs of these cities is impacted by the spillover, or centralization of needs from the surrounding rural populations.

For example, data collected form the 2 emergency shelters operated at the Lewiston Ramada Inn or the Lewiston Armory clearly demonstrates this catch-basin effect. The combined totals of the two emergency shelters (whose numbers are not included in MSHA PIT counts) regularly operated at capacity. Of their total 213 individuals sheltered 60% claimed Lewiston as their residence, 20% claimed Auburn with the remaining 20% coming from outside of the consortium jurisdiction. The city of Auburn is working in consultation with the Lewiston-Auburn Transitional Recourse Center team and the regional HUB Coordinator on an expansion of services under the HOME-ARP program to better address the needs of this population.

Additionally, the city of Auburn has recently taken in 17 additional refugee families of various origins. These needs are being addressed through the city General Assistance office with wrap around services and coordination being provided by the city Public Health manager. This coordination includes private charities, educational facilities, and local hotel operators.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Auburn is developing a plan for implementing new services to be funded with Department of Housing & Urban Development (HUD) Home-ARP funds. These services are focused on responding to the needs of community members experiencing homelessness, who are at risk of homelessness or who are fleeing domestic/dating violence, sexual assault, or human trafficking. The definition of a Qualified Population (QP) to be assisted with these funds if further defined by HUD in their CDP Notice 21-10.

These services are being developed in response to quantifiable data collected by the Auburn Lewiston HOME Consortium in partnership with multiple city department, service providers and non-profits. This plan contains 2 key elements. The first is to provide funding for qualified services to include both **Tenant Based Rental Assistance (TBRA)**, which includes rental assistance, security deposits and utility deposits for qualified households, as well as **Direct Support Services (DSS)** to include McKinney-Vento Support

Services and Homelessness Prevention services as further outlined in CPD Notice 21-10.

The second key element will be one direct support service providers, housed in the Auburn Community Development Office, which will work proactively with the Public Health office and across various city departments including the Auburn School Department, Police Department and General Assistance Department to provide advocacy and support services to Auburn residents at their time of need.

The **Homeless Intervention Specialist (HIS)** will work across multiple city departments to build relationships with community members experiencing homelessness or at risk of homelessness to provide advocacy and support services and assist with connecting individuals to housing and support services in partnership with the regional HUB Coordinator. The Specialist will assist with identifying unsheltered homeless or at-risk neighbors through direct outreach with and referrals from the Auburn Police Department, Auburn Fire Department, Auburn School Department, Public Health Manager, and General Assistance Manager as needed. This may include meeting with individuals in encampments, shelters, warming locations, and other locations not meant for human habitation or those recently released from healthcare, mental health or correction facilities. The work schedule will include some evening and weekend hours where the Specialist will assess the needs of the individuals identified and facilitate placement into emergency or short-term housing as needed.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The General Assistance offices of both cities work proactively to prevent LMI families from becoming homeless. These efforts are not just based on the use of General Assistance funds but also the addition of wrap-around support services rooted in their proactive community roles. Similarly, the Auburn Public Health office continues to work with residential institutions to match needs with readily dwindling community housing and support resources. The Community Development Office is adding a new, Homelessness Intervention Specialist position with an additional Mckinney-Vento style budget from the HOME-ARP allocation to provide additional services and resources to these at-risk qualified populations.

Additionally, the Maine COC has added a new HUB coordinator located at the Lewiston Housing Authority. This position will be the point of coordinated entry into the COC system, allowing the Community Development and Public Health teams to focus their efforts on crisis response and early intervention efforts.

In addition to the current homelessness crisis and the influx of more refugee families into a jurisdiction already coping with a housing shortage is the impending end of the current Emergency Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding set to expire on June 30th, 2022, preparations for a dramatic in housing needs are being developed.

Discussion

As noted above, Homelessness is not a place-based problem. Many who lack adequate, permeant housing are transitory in nature as they seek out new and ever-changing resources to meet their needs. Because of this, responses cannot be relegated to isolated neighborhoods or cities. The data compiled for this Action Plan reiterates the clear fact that this consortium is a catch-basin for homelessness and special needs for the region as a whole. To address this better assessments of causal events and cooperation between regional service providers is needed. A strong relationship with the State's Continuum of Care and the locally placed HUB Coordinator is necessary to more accurately quantify need and coordinate resources. These efforts will be optimized though a locally focused effort to measure and design systematic responses to the prevailing needs of the community.

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

Private development of multi-unit housing projects is on the rise across Auburn. Projects which are in the permitting process or already under construction are climbing, as reported by the Auburn Planning & Permitting Department. There are a total of 102 new units in 3 different projects expected to come into service by the end of 2022. Another 423 new units are also in process to be completed by 2023, and 196 seeking approval for 2024. The large, and rapid increase in new unit development, coupled with Auburn Housing Authority's conversion to a voucher-based system will have a notable impact on addressing not just the over-all housing shortage, but will also make much needed headway in the alleviation of the shortage of affordable housing.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City of Auburn has continued its multi-year efforts to implement form-based zoning. This year an ambitious rezoning of the city's core residential area, totaling over 1,687 acres, is still ongoing. Conducted under the guidance of the city's Comprehensive Plan as updated in 2021, these changes to the land use code would allow for an increase density to as high as 16 units per acre. There is currently one new development waiting for these changes to take effect. This project, called Stable Ridge Apartments would construct 60 new units within a 5 building development located next to the Auburn Middle school.

City administration as well as elected leaders have not been seeking traditional governmental approaches to solution development. Instead of developing and implementing large-scale multi-unit construction subsidized by multiple layers of tax incentives, state and federal funds they have promoted a more equitable, and innovative small scale methods. These include the approval of Accessory Dwelling Units within city zoning which not only creates new housing stock, but also offers small-scale sustainable rental income for many more middle- and low-income residents who have an extra quarter-acre to spare. Some of these more innovative approaches have recently been highlighted in an article called "The YIMBYest City in America" (linked below), where the Mayor leans into the recent Not-in-my-back-yard exclusionism the city has faced. This same NIMBYism is also highlighted as an on-going concern within Maine State Housing Authority's 2019 Analysis of Impediments to Fair Housing Choice report.

YIMBY article: The YIMBYest City in America - Discourse (discoursemagazine.com)

MSHA Analysis of Impediments to Fair Housing: 2019-analysis-of-impediments.pdf (mainehousing.org)

Discussion

These progressive zoning changes, as well as the proposed projects, have stirred substantial community conversations. Dozens of residents have spoken at multiple public hearings or printed letters to the editor in the local paper, both for and against these types of zoning changes and development proposals. Arguments against these developments call into question potential negative effects on the "traditionally single family residence neighborhoods" which would be impacted by these large zoning changes across the city. This type of "Zone Defense" has been reactionary to these proposed developments in nature and speak to the impediments raised by MSHA in their analysis of Impediments to Fair Housing Choice.

Still, the Mayor and city council maintains support for not just the needs for new housing units to relieve what the mayor has referred to as "incremental" solutions to this larger housing crisis. Recent reports on these developments can be seen here: https://www.sunjournal.com/2022/03/27/legal-opinion-could-prompt-delay-in-auburn-rezoning-effort/

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The Action Plan for the city of Auburn and the Auburn-Lewison Consortium is due to be released each year by March in order to provide the required public comment period, be approved and funded by the beginning of the new project year. This process would traditionally allow for the city to release RFPs for Public Service grants based on the approved budget. In March of 2022 HUD released CPD Notice 22-05, which suspended this process and related requirements until the formula-based allocations are published by HUD. These allocations, due to various approval delays at the federal level, were not made available to the city until May 16, 2022. Because of this delay the city will not have enough time to complete the approval process before the beginning of the next project year. In order to avoid any further delays in public service delivery the city of Auburn has chosen to fund internal programs based on the prioritization established by the Citizen Advisory Committee, instead of seeking 3rd party non-profit service providers. These internal programs are experienced service delivery projects dandled in collaboration with Auburn Recreation Department and the PAL Center. One 3rd party organization focused on domestic violence and homeless services was awarded based on historic performance and preferences established by the Citizen Advisory Committee.

The city of Auburn and the Auburn-Lewiston Consortium have undergone substantial redesign and re-staffing in order to better meet the prevailing needs of the community. As with any substantial change effort growing pains within program planning and subrecipient funding expectations is expected, and steps have been taken to prepare for and respond to these concerns. Still, it is essential that the federal funds provided to the city to address these ever changing needs and be spent effectively and with the largest impact per dollar possible.

Actions planned to address obstacles to meeting underserved needs

In a post-covid world the resources and needs of the at-risk community changed dramatically. During this time some types of programming and response systems proved their strength, reliability, and impact. These prevailing needs focused around food insecurity and at-home resources for home-bound or mobility-limited residents. Within this plan the primary allocation of Public Service Funds will be used to service the Grab-n-Go program operated out of the PAL Center. This food pantry and delivery service has assisted low-to-moderate income residents have reliable access to essential foods throughout the pandemic. This program currently supplies food from its Union St neighborhood location as well as offering delivery services to LMI and Senior living facilities including Roak Block, Barker Mills and Esplanade which are operated by the Auburn Housing Authority. Additional funding provided within this Action Plan will sustain the current 350 residents relying on regular food deliveries as well as allow the program to expand its capacity to another 80 residential units located within the Lake Auburn Town house facilities, another Auburn Housing operated residential facility.

Additional funding support for summer recreation scholarships will be provided to not only allow for

equitable access to experiential opportunities to LMI youth, but also serves as structured childcare for working parents during the summer months. This compound benefit has proven to provide the broadest demographically available services within the city's historic public service funding. Expanding on the positive, proven Public Services offered directly by the city of Auburn will increase the city's response to the prevailing nutritional and economic needs of its most historically and economically disadvantaged residents and neighborhoods.

Lastly, Public Service financing will continue for Safe Voices, who have effectively and proactively provided additional services and housing for domestic abuse victims and families throughout the pandemic. This funding decision is supported by the public service priorities established by the Citizen Advisory Committee.

Actions planned to foster and maintain affordable housing

Primary activities within this Action Plan involve the development of new residential units offered and made affordable for Low-to-moderate income residents. These funds will be provided to Community Housing Development Organizations and private developers in exchange for those assisted units being offered solely to LMI residents at rates that are deemed affordable.

Additional programs will provide access to funding for emergency repairs to residential housing units as well as lead testing and abatement funding dedicated to improving the health and safety of homes with young children.

Actions planned to reduce lead-based paint hazards

Both cities currently manage their own grants from the Office of Lead Hazard Control with which residential units containing children, or being marketed to families with children, can be tested for lead paint hazards. Where hazards are present, funds will be made available in the form of grants to mitigate and abate the presence of these lead paint hazards. The separate budget and work plan for the Lead Hazard Control grant established a goal of 110 units abated for lead hazards over the next 3 years. Included within this Action Plan are matching CDBG grants for LMI households to further increase the impact of the Lead Hazard Control grant funds.

Actions planned to reduce the number of poverty-level families

Community Development staff is committed to establishing and maintaining relationships with organizations and institutions which broaden and strengthen the institutional structure. Auburn is increasing its efforts to develop workforce empowerment programming with the local Chamber of commerce, as well as focusing and providing educational opportunities for Section 3 businesses. These are businesses owned or staffed with primarily by Low-to-moderate income residents. These additional empowerment structures provide opportunities to poverty-level families to increase their experience and earnings and are funded in part through the Lead Hazard Control grant.

The city has also established a relationship with Community Concepts Finance Corporation, a certified HUD homeownership and finance counselor, which will provide free financial education sessions to families enrolled in the homebuyer or rehab programs. Leading with education services better prepared LMI residents to understand and prepare for the financial planning necessary to maintain their assets and improve their own financial situations.

Actions planned to develop institutional structure

The city of Auburn has reorganized its internal structure to better meet the array of prevailing community needs. By integrating the Public Health, General Assistance and Community Development teams there is present a culture of collaboration and joint responding to emergency health, housing and refugee needs which can only be achieved though the removal of inter-department barriers and the establishment of a unified mission of service and crisis response. As new positions are added, such as the Lead Hazard Control team and the Housing Intervention team, service gaps within the department are being filled.

The Auburn-Lewiston Consortium is also in a new phase of development where the Community Development and General Assistance offices from each city are working more directly and collaboratively on planning and response initiatives. This is most prevalent around the development and coordination of responses funded under the HOME-ARP plan, where the shared needs and homelessness crisis's are not easily divisible between the two cities. This inter-city cooperation and data sharing removed duplicative services and increases the efficiency of service delivery and efficacy.

Actions planned to enhance coordination between public and private housing and social service agencies

The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, Community Concepts, Healthy Androscoggin, and other city departments, and local and regional nonprofit organizations coordinate closely in the planning and delivery of housing services. However, there are not enough resources among all of the partners to meet the identified needs. Waiting lists for services at the housing authorities are long. By leveraging private developers to construct more affordable units and engage with the Section 8 voucher program multiple agencies would be increasing efficiency and ability to better serve the 434 low-to-moderate income residents currently on the Section 8 wait list. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable goals.

The Community Development Department has been involved in a local Green and Healthy Homes initiative in order to better coordinate housing improvements and bring new resources to

the community. The City of Auburn has received a Lead Hazard Control Grant with the assistance of Healthy Androscoggin and other service delivery partners within the community. This project entails substantial integration of multiple health agencies, non-profit service providers and state Center for Disease Control who can more efficiently share information, referrals and response services specifically for children with identified elevated blood-lead levels (eblls).

The city of Auburn is currently working on the development of a new multi-unit housing co-op in partnership with the Auburn Housing Authority. This project will utilize the assistance of additional non-profit technical assistance providers who specialize in co-op development and governance. This new model will not just create new multi-unit rentals but will create democratically governed buildings where residents become homeowners and have access to a greater opportunity to build generational wealth through homeownership.

Discussion

The last year has provided substantial and dramatic changes locally, nationally and internationally. More prevalent today than in the last 50 years international conflicts and the crumbling of a globalized consumer economy has created new and unexpected challenges to Auburn and Lewiston residents. Grocery prices and fuel are increasing dramatically. Essential foods are becoming scarce given manufacturing and resource acquisition breakdowns on the other side of the world. Lumber prices and construction materials are becoming scarce and largely unaffordable to many. Our community is growing with the addition of new and welcomed members who have been driven from other parts of the world due to famine and conflict. Finally, inflation and un/under employment are making housing and necessary daily resources unattainable for average residents.

The worst part of all of these new and novel trials and tribulations, which we all have grown accustomed to hearing on the daily news, is that it begins to negatively affect our general world-view and essential optimism which we all need to grow, develop and prosper. This is, above all, where we need to focus the majority of our efforts, energies and collaborations. In the face of all these challenges the most important aspect of interdepartmental, institutional, and interpersonal development will be to not lose sight of this key element.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	75.00%

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

   Auburn /Lewiston will not utilize other forms of investment beyond those in section 92.205

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

   The Auburn/Lewiston Consortium will use the Recapture method to recover HOME funds from projects that have not met the minimum required affordability periods. The proceeds from the repayment of the HOME Program assistance to the original first-time homebuyer will be utilized to assist other HOME Program eligible first-time homebuyers to obtain a home within the geographic area providing the property will be their principal residence.

   To ensure that the Auburn Lewiston Consortium recovers all or a portion of the HOME Program funds from a homeowner if the housing is sold, transferred or foreclosed upon within the minimum federally-required affordability period, the following Recapture provisions will be made an express covenant of the borrower applicable to the loan:

   If the mortgaged property is sold, refinanced, conveyed, assigned, leased or otherwise transferred or if a senior lender forecloses on any senior mortgage prior to the end of the minimum federally required affordability period as defined by 24CFR 92.254(a)(4), the Home Program loan assistance must be repaid to the City of Auburn on a net proceeds' basis according to the following mathematical formula:

   Net Proceeds = (sales price minus municipal liens minus principal owed to senior lenders minus selling costs);

   Homeowner Investment = (down payment plus principal paid on first mortgage, and any verifiable capital improvement investment made from date of purchase);

   A/L Investment = (HOME Program Loan(s) assistance);

   Total Investment = (homeowner investment plus City's investment)

   Amount of Net Proceeds to be returned to the City = City's investment x net proceeds

   Total investment

   In the event of resale of a property where there is no direct subsidy to the buyer, the

Auburn/Lewiston Consortium employs a Resale Provision to preserve the full term of affordability and ensure the housing is retained for occupancy by low-income families. Specifically, the Resale Provision requires that if the owner sells, conveys or otherwise transfers his interest in the premises prior to expiration of the affordability period, such sale, conveyance, or transfer shall only be to an eligible, low-income purchaser. Other restrictions concerning notice of sale, maximum resale price and marketing of affordable unit(s) apply and are fully detailed in the Auburn/Lewiston's Resale Provision.

Auburn/Lewiston Consortium will not use the resale draft guidelines without consultation and approval from HUD.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

   Homebuyer and Homeowner Rehabilitation projects will be subject to recapture provisions of the HOME Program. The property must be occupied as a principal residence for the minimum periods of 5 years if HOME assistance is less than$15,000, 10 years if HOME assistance is between $15,000 and $40,000, and 15 years if HOME assistance is over $40,000.The recapture period shall commence when the building acquisition and/or rehabilitation are complete and a project completion certification has been issued for rehabilitation.

   Transfer of Title. The City shall collect the net proceeds from the sale of the property up to the outstanding balance of the HOME assistance when the HOME Borrower relinquishes the property voluntarily or due to a foreclosure, bankruptcy, appointment of a receiver or liquidation, or assignment for the benefit of the HOME Borrower's creditors, or a financial hardship resulting in a short sale. In the event that the net proceeds are insufficient to repay the HOME loan(s), the City will then forgive part or all of the HOME loans(s).

   Auburn will not use a Resale provision unless preapproved by HUD.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

   Home funds will not be used to refinance existing debt.

Attachments

Grantee Unique Appendices

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Citizen Participation Plan
2020-2024
Adopted _____, 2022

The U.S. Department of Housing and Urban Development (HUD) has consolidated the planning, application, reporting and citizen participation processes of formula grant programs: Community Development Block Grants (CDBG), & Home Investment Partnerships (HOME). The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the formula block grant programs.

The city of Auburn (City) encourages citizens, especially those earning low and moderate incomes, to participate in the development of the City's Consolidated Housing and Community Development Plan ("Consolidated Plan"). This Citizen Participation Plan outlines the responsibilities of the City for obtaining citizen participation in the process of preparing, amending, and updating the Five-Year Consolidated Plan, the Annual Action Plan, and the Consolidated Annual Performance Evaluation Report (CAPER).

Citizen Participation Statutory Requirements

Plan/Report	Frequency	Due Date	Comment Period	Public Hearings
Consolidated Plan	Every 5 years	May 15*	30 days	2
Annual Action Plan	Every Year	May 15*	30 days	2
Amendments to Consolidated Plan Annual Action Plan	As needed		30 days	1
Consolidated Annual Performance Evaluation Report (CAPER)	Every year	Sept. 30	15 days	1

*Unless otherwise extended by HUD CPD Notice

Timeline of Annual Tasks, Submissions & Approvals

February	Public Hearing to solicit consolidated/Action plan input Complete Department Program Budget
March 1st	Revisit Needs assessment and prioritizations Draft Consolidated/ Action Plan
April 1st	Publish Consolidated/ Action Plan Public Notice for 30-day Comment Period
1st Council Meeting in May	Public Hearing Approval of Budget & Action Plan
May 15th	Submission of: • Consolidated/ Action Plan • Summary of Consultations • Summary of Citizen Participation/ Comments • Certifications & 424s
July 1st	Beginning of Fiscal Year
August 1st	Close out Previous year activities/ Budgets
September 15	Publish CAPER Public Hearing regarding CAPER
September 30th	Submit CAPER to HUD
December 1st	Release annual citizen participation survey Solicit unmet needs statements from area service providers

THE CONSOLIDATED PLAN AND THE ANNUAL ACTION PLAN

The Consolidated Plan examines the current housing situation, explores the housing and community development needs of the City, and sets priorities for spending HUD grant funds. The Annual Action Plan represents activities for years 2-5 of the Consolidated Plan. The City encourages inter-local government, public and private agency, and citizen participation in collaboratively identifying housing and community development needs. To provide varied opportunities for participation in the planning and preparation of the Consolidated Plan, the City will undertake the following actions:

Consultation

Prior to the development of the draft Consolidated Plan, the City will solicit information about housing and community development needs. This solicitation may take the form of one or more of the following:

1. Consultation with local public agencies which assist low-income persons and areas, including state and federal agencies, other local governments and regional councils of government.
2. Consultation with private agencies, including public and private housing developers, local not-for-profit service providers, local public housing authorities, homeless service providers, not for-profit housing developers, community action agencies, social service agencies and advocates.

3. Information collection at statewide affordable housing and homeless conferences, with established entities such as the Statewide Homeless Council and the Continuums of Care, MaineHousing and with professional associations.
4. Public Hearing to solicit input from the community.
5. Sharing of local data and plans with Auburn Housing Authority to be incorporated in the AHA public hearing process.

Participation of Citizens

The City encourages citizens to participate in the development of the Consolidated Plan, Annual Action plans and all annual performance evaluations and reports. The City will take whatever actions are appropriate to encourage the participation of all residents, including minorities, non-English speaking persons, persons with disabilities, low- and moderate income persons, particularly those persons living in areas designated by the City as a revitalization area, or in a slum and blight area where CDBG funds are proposed to be used, as well as residents of predominantly low- and moderate income neighborhoods as defined by the most recent HUD census data. This includes translation services upon request for any written plans or notices as well as the increased use of the development of new, quantitative ways to increase and broaden public participation beyond the attendance of Public Hearings as required by 24 CFR 91.105 A-2 (iv).

Citizen participation will be accomplished through the following means:

1. Citizen Survey
    - An online survey of housing needs and service priorities will be provided via the City's websites. The availability of the online survey will be communicated through email and social media. Partner organizations will be encouraged to notify low-income clients of its availability.
    - A paper survey corresponding to the online survey will be provided locally through jurisdiction-wide service providers. These surveys will be translated into a minimum of three additional languages to include French, Portuguese & Somali.
2. Public Hearings/Forums
    - Public hearings will be scheduled at times and locations that are convenient to potential and actual beneficiaries.
    - Sites will accommodate persons with mobility impairments by being held in locations which meet ADA requirements, and special communication accommodations will be arranged if requested prior to the hearing date.

To the greatest extent practicable, the City may employ electronic means of communication and consultation, to include e-committees, online discussion forums and blogs, videoconferencing, online surveys, or similar methods. Upon request the City will provide Technical Assistance to groups representative of low- to moderate income communities who need assistance in developing proposals for funding assistance under any program included within the Consolidated Plan.

Public Notice

Reasonable notice will be given to announce the availability of the draft Consolidated Plan, Annual Action Plan and Consolidated Annual Performance and Evaluation Report. Availability of the drafts Plan or Annual Action Plan will be announced on the City's website and Social media.

To encourage citizen comment and attendance at public hearings/forums, notices will be emailed via City's mass email list as well as posted in city facilities including the local Housing Authority, the city Library, Senior Center and other service organizations which predominantly serve Low- and moderate-income residents.

These notices will include links to the draft plans and reports, contain information on how to access translation services and notify residents how to receive paper copies of the full proposals. The draft plans published will include the following as required by 24 CFR 91.105 (b)(1):

- HUD-provided data available to the public as cross-referenced to the data on HUD's Website
- the amount of assistance the local government expects to receive (including grant funds and program income);
- the range of activities that may be undertaken;
- the estimated amount of funding that will benefit persons of low- and moderate-income;
- the local government's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the local government will make available (or require others to make available) to persons displaced, even if the local government expects no displacement to occur; and

Public Hearings

Public hearings will be held before the submission of the final Consolidated & Annual Action Plan. This will be part of the 30-day public comment period. The purpose of this public hearing will be to gather citizen input on the proposed plans prior to submission.

Citizens will be notified of the public hearings at least two weeks before they are held. Public hearings will be announced in at least one Maine newspaper, by email, and on the City websites.

CONSIDERATION OF PUBLIC COMMENTS

A public comment period of at least 30 days will be provided prior to the adoption of the Consolidated Plan or implementation of substantial amendments. City staff will prepare a summary of all comments received in writing, or orally at the public hearing. In cases where citizens' views are not accepted, the city will provide reasons for the decision.

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORTS

Before the City submits a Consolidated Annual Performance and Evaluation Report (CAPER) to HUD, the proposed CAPER will be made available to those interested for a comment period of no less than 15 days. Citizens will be notified of the CAPER's availability by public notices as outlined above

The CAPER will be available on the City website during the 15-day public comment period. Hard copies will be provided upon request. Any comments from individuals or groups received verbally or in writing will be considered. A summary of the comments, and of the responses, will be included in the final CAPER.

SUBSTANTIAL AMENDMENTS

A substantial amendment is defined as a proposed change in allocation of funds after the official adoption of the Consolidated Plan that affects 10 percent or more of the City's annual allocation of CDBG & HOME funds. A substantial amendment may also be required to carry out an activity not previously described in the action plan.

Any changes in the distribution of funds caused by changes in federal funding allocations after the Consolidated Plan/Annual Action Plan's draft comment period has expired will not be considered a substantial amendment.

Substantial amendments to the approved Consolidated Plan will be made public by public notices as outlined above. The City will receive and consider comments delivered in writing or orally at a Public Hearing on substantial amendments to the Consolidated Plan for 30 days before implementing those amendments. Approved amendments and a summary of comments will be attached and uploaded to the plan being amended within the Integrated Disbursement Information System.

If a state of emergency is declared which requires reallocation of funds and/or receipt of disaster recovery funding, the City will follow any abbreviated notice and approval process as published within a HUD CPD notice.

CITIZEN COMPLAINTS

Citizens who have objections or complaints about the Community Development Programs may submit a written complaint to:

Community Development Department
City of Auburn
60 Court Street
Auburn, ME 04210

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Manager and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

PUBLIC ACCESS : Availability of Documents

The final Consolidated Plan, any substantial amendments, and annual performance reports will be made available to the public on the city's website. Copies will be available in printed form or electronic means upon request.

Access to Records

The City will provide all interested parties with access to information and records related to the Citizen Participation Plan, Consolidated Plan, Action Plan and any amendments by posting it in a translatable form on the city website. Hard copies can be requested, and accommodations will be available to individuals with visual or hearing impairments. Records relating to these documents can be requested for the preceding five years. The public will be provided reasonable access to housing assistance records, subject to laws regarding privacy and obligations of confidentiality.

Accommodations

Arrangements will be made for non-English-speaking persons and persons with special needs for mobility, hearing and visual impairments, or the homebound. Please contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance. Access to these accommodations can be attained by contacting the Community Development Office ahead of time at (207) 333-6601 or emailing CDBG@auburnmaine.gov .

CITY OF AUBURN
CITIZEN PARTICIPATION PLAN
2020-2024

Amended August 2021

1. INTRODUCTION

The City of Auburn received an "entitlement" designation for Community Development Block Grant funds in 1974. These funds are used for a number of loan programs to promote housing and economic development. Funds are also used for public facilities and infrastructure, and for social services. In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds.

The Department of Housing and Urban Development (HUD) requires recipients of its grant funds to prepare formal plans as a condition of receiving federal funds. These plans are intended to encourage communities to allocate federal resources to address local needs and market conditions.

The City has developed a Consolidated Plan (ConPlan) which is a fact-based analysis of local housing needs that reflects the incidence and severity of housing problems among different segments of the population. The ConPlan articulates priorities for addressing the needs that have been documented and defines strategies and activities linked to these priorities. Community representatives and housing practitioners will have opportunities to help shape the development of priorities and strategies. The process is intended to assist with coordination among relevant agencies in both planning and implementation. The City works closely with Auburn Housing Authority (AHA) on housing matters.

Section 104(a) of the Housing and Community Development Act of 1974 requires that the City of Auburn follow a Citizen Participation Plan. In order to comply with HUD regulations, the Community Development Department has prepared the following plan which outlines the process through which citizens will be informed of and involved in the Community Development Program. The Community Development Program involves funding of both the Community Development Block Grant and HOME Investment Partnerships (HOME) Program.

The Citizen's Participation Plan is an effort to create a collaborative process whereby citizens assist in developing a vision for community development housing actions. The City Council will consider both public comments and recommendations of the Citizen's Advisory Committee (CAC) in making decisions to allocate Community Development and HOME resources.

To affirmatively encourage citizen participation, the following plan elements shall be implemented in the execution of the Community Development Program.

2. GOAL

The goal of the Citizen Participation Plan is to provide Auburn citizens with an opportunity to participate in various processes of the Community Development Program. Citizen participation shall be conducted in an open manner with appropriate and timely dissemination of information pertinent to all plans and programs. The emphasis of this Citizen Participation Plan to involve persons who are most likely to be affected by and utilize the Community Development Program, especially persons of low income, persons with special needs, and persons living in target areas.

3. OBJECTIVES

The objectives of the Citizen Participation Plan are to:

Encourage citizen participation with emphasis on participation by persons who are of low income, special needs, and persons who live in or own property in a target area;

- Provide citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of funds;
- Provide technical assistance to groups or representative of persons of low income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Obtain citizen views and answer questions at all stages of the Community Development process including development of needs, review of proposed activities and review of program performance;
- Provide for a timely written answer to complaints and grievances; and
- Provide for meeting the needs of non-English speaking residents and persons with special needs for accessibility or communication assistance at public meetings where a significant number of people are expected to participate.

4. PUBLIC PARTICIPATION

A. NOTICES OF PUBLIC MEETINGS

Public meetings are held to obtain views of citizens and public agencies with respect to the Community Development Program. Meeting notices will be published on the City's website.

At least 30 days before adoption by the City Council, a summary of the proposed Consolidated Plan and Annual Action Plan will be published on the City's web site to give citizens an opportunity to review and comment on the plan. The summary will describe the general contents of the Consolidated Plan. The public notice will indicate the location where copies can be examined or how to find it on the web site.

At least 15 days before submission a public notice will be placed in a local newspaper announcing the availability of the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER provides a review of program progress and performance of the Community Development Block Grant Program.

B. AVAILABILITY OF PUBLIC DOCUMENTS

Documents will be available at the Community Development Department for perusal in an effort to provide readily accessible information to citizens. Historical records will be available for the previous five-year period. Documents that will be available are:

- Residential Anti-displacement;
- Relocation Assistance Plan and Affordable Rent Policy;
- Urban Conditions Study;
- Citizen Participation Plan;
- Community Development Block Grant Regulations;
- Environmental Review Records;
- Consolidated Annual Performance and Evaluation Report;
- Guidelines of various programs funded with Community Development and HOME Investment Partnerships Program funds; and
- Consolidated Plan and Annual Action Plans.

C. CITIZENS ADVISORY COMMITTEE

The purpose of the Citizen's Advisory Committee is to assist in developing the Consolidated Plan and to monitor progress on achieving the goals and objectives of the plan. The committee will be made of a minimum of 11 Auburn residents, with a quorum being a majority of those currently appointed. The Committee will meet on a regular basis to track progress in accomplishing the goals of the Consolidated Plan. Community Development staff shall solicit members who will be representative of the following categories:

- At least one person of minority race or ethnic background;
- 3 representatives of community organizations, one of which represents the interests of homeless persons;
- A City Councilor;
- 4 persons from target areas including residents, landlords and small business owners. There will be a minimum of 1 each from the Downtown, Union Street and New Auburn Target Areas; and
- 2 representatives with a background in Real Estate or Finance.

The City Councilor member shall be appointed by the Council and their term shall coincide with their term in office. The other committee members shall be appointed by the Mayor and their term shall be three years, terms start on July 1st. The CAC membership shall elect a person amongst them to act as liaison with Community Development staff and to serve as spokesperson for the CAC to the City Council.

1) CAC Meetings:

a) <u>Consolidated Plan</u>

The CAC will be involved in assisting with development of the 5-year Consolidated Plan by considering needs and resources, and prioritizing goals and objectives.

b) Annual Action Plan

In the subsequent four years, the CAC will review the annual Consolidated Annual Action Plan for conformance with the Consolidated Plan.

c) Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each program year, a performance report will be prepared. The CAC will meet after completion of the CAPER to consider progress in meeting the stated goals and objectives of the Consolidated Plan. The CAC will also review program performance, effectiveness, and evaluation.

d) The CAC may determine that other meetings are necessary to promote the goals of the Consolidated Plan. Establishing extra meetings will require a majority vote of the CAC.

2) Consolidated Plan Considerations:

During the study process, the CAC will consider data on housing needs and comments from focus groups to establish priorities. The CAC will consider the needs of extremely low-income, low-income, moderate-income, and middle income families; renters and owners; persons who are elderly, disabled, persons with HIV/AIDS and their families; single persons, large families, public housing residents, families on the public housing or section 8 tenant-based waiting list, and homeless; consider specific problems such as cost-burden, severe cost-burden, substandard housing and overcrowding.

D. OTHER PUBLIC PARTICIPATION

Community Development staff shall solicit input from citizens who may be affected by Community Development projects to give them an opportunity to express their views concerning problems, suggestions and alternatives to the proposed projects. A public notice will announce the availability of City documents and may include:

- amount of Community Development Block Grant funding to be received;
- eligible activities;
- general program requirements;
- previous years' use of funds;
- projected use of funds;
- time schedule for submitting the Consolidated Plan;
- amount of funds that will benefit very low, low, and low-moderate income persons; and plans to minimize displacement of persons and to assist persons.

E. CITY WEBSITE AND SOCIAL MEDIA NETWORKING

The City of Auburn's website will provide up-to-date information on the Community Development and HOME Investment Partnerships Programs. Meeting notices, the draft and adopted Consolidated Plan, Annual Action Plans, Consolidated Annual Performance and Evaluation Reports, various adopted guidelines and policies, and the Citizen Participation Plan will be available.

In order to reach a broader more diverse audience, during the 5-year planning process the Community Development Department will also utilize an internet social networking site to provide important information on the Consolidated Plan and funding resources.

F. PUBLIC HEARINGS

Public hearings shall be held by the City Council and shall serve as additional forums for citizens to convey their views on community development and housing needs, and to respond to proposed budget. At least 10 days prior to public hearings, a notice shall be placed in the newspaper announcing the public hearing. These public hearings will be conducted in the evenings and participation via zoom will be available. Recordings of these Public Hearings will be posted online for additional viewing accommodations. The City Council will consider comments or views of citizens received in writing or orally at the public hearing, Public hearing will be held at Auburn Hall, a location that accommodates persons with disabilities. Public hearing shall be held as follows:

1) Consolidated Plan - A public hearing will be held prior to adoption of the Consolidated Plan. A draft Consolidated Plan will be available to the public 30 days prior to adoption. Copies will be available free of charge.

2) Consolidated Annual Action Plan - A public hearing will be held prior to adoption of each Consolidated Annual Action Plan. A draft Annual Action Plan will be available 30 days prior to adoption. Copies will be available free of charge.

3) Amendments - A public hearing will be held prior to adoption of any substantial amendments to the Consolidated Plan and Annual Action Plans. A substantial program amendment description will be available 30 days prior to adoption. Copies will be available free of charge.

4) **Consolidated Annual Performance and Evaluation Report** - A public hearing will be held prior to submission of the Consolidated Annual Performance and Evaluation Report. The report will be available 15 days prior to submission. Copies will be available free of charge.

G. CONSIDERATION OF COMMENTS

A summary of comments will be attached to the appropriate document and submitted to the City Council before an action is taken. The City Council shall consider comments of the CAC or others

prior to final adoption of the Consolidated Plan, Annual Action Plan, or Consolidated Annual Performance and Evaluation Report.

H. RESPONSE TO PROPOSALS/COMMENTS

A staff member of the Community Development Department will respond to citizen comments or proposals. For every written proposal or comment, there will be a written response with reasons stated for whatever action the City has taken on the proposal. Oral proposals will receive oral responses, though they may be in writing.

5. SPECIAL CONSIDERATIONS

A. ACCOMMODATIONS

Arrangements will be made for non-English-speaking persons and persons with special needs for mobility, hearing and visual impairments, or the homebound. Please contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance. Access to these accommodations can be attained by contacting the Community Development Office ahead of time at (207) 333-6601 or emailing CDBG@auburnmaine.gov .

B. TECHNICAL ASSISTANCE

Staff will provide direct assistance to low-income persons or their representative when forming proposals for Community Development activities. The level and type of assistance will be determined by Community Development staff and may not necessarily include the provision of funds to any person, group, or agency.

Staff will provide direct assistance to low income persons in their effort to progress through the various program processes. For the Rehabilitation Program, assistance will include preparing a loan application, submitting financial information, providing advice for soliciting bids, or upon request securing bids for a property owner, comparing and evaluating bids for conformance to required work, assisting to schedule rehabilitation work, managing the escrow account, performing inspections to ensure quality work, acting as liaison between the contractor and property owner for complaints and resolving a variety of other problems. For the homebuyer programs, assistance will include preparing a loan application, submitting financial information, providing pre-qualification for housing affordability, credit counseling, and guiding the home purchase.

Staff will provide counseling to tenants who are in jeopardy of being displaced because of a federally funded project and provide relocation assistance to those who are being displaced. Tenants will be assisted when required to file relocation claim forms and to secure comparable housing that is decent, safe and sanitary.

Staff will make a credit counseling referral to low-income households to assist them becoming homeowners.

6. COMPLAINTS AND GRIEVANCES

Citizens who have objections or complaints about the Community Development or HOME Programs may submit a written complaint to:

Community Development Department
City of Auburn
60 Court Street
Auburn, ME 04210

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Manager and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

7. AMENDMENTS TO CONSOLIDATED PLAN

Auburn will amend its Consolidated Plan in the following ways: whenever it makes one of the following decisions:

a) Minor Amendment

A minor amendment will be approved by the City Manager. These include:

- Program Guideline updates
- Policy Changes
- Budget changes under 20% of planned projects

b) Substantial Amendment

A substantial amendment must be authorized by the City Council and submitted to the U. S. Department of Housing and Urban Development. A public notice of the change will be published 30 days before adoption of an amendment by the City Council. An additional public hearing for a program amendment will be held in advance of a City Council vote.

A substantial amendment includes:

- to change a goal, priority, or activity of the Consolidated Plan;
- to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously covered in the Consolidated Annual Action Plan; or
- to change the purpose, scope, location, or beneficiaries of an activity included in the Consolidated Annual Action Plan.
- Change that exceeds 10% of the amount of annual Community Development or HOME Program budget

ORDER 101-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby adopts the Program Year 2022 Annual Action Plan with appendices as recommended by the Business & Community Development Office.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 102-07182022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Purchase of 121 Mill Street, Parcel ID 221-041

Information: The property located at 121 Mill Street was identified as a potentially valuable resourse for the city as it pertains to the Redevelopment plans in New Auburn. The parcel and building are uniquely situated in an area that offers opportunities for business relocation, recreational tourisim, housing, services, community space and many others. After evaluating the possibilities and realizing how this property meets the foreseeable needs of the City it was clear the City needed to have site control for any of these future uses.

City Budgetary Impacts: None – acquisition is funded from current funds

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Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: Executive sessions on 6/27/22 & 7/11/22

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

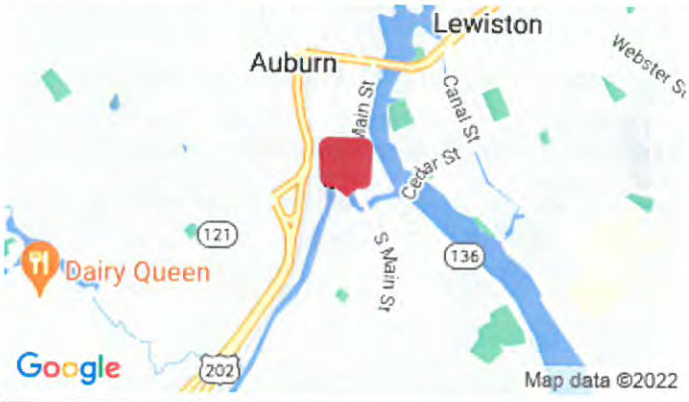
Property overview with photos

Flex Office Space - For Lease

121 Mill St, Auburn, ME 04210

PORTA & CO.
COMMERCIAL REAL ESTATE

Listing ID:	30755368
Status:	Active
Property Type:	Office For Lease
Office Type:	Coworking, High-Tech
Contiguous Space:	15,410 SF
Total Available:	15,410 SF
Gross Land Area:	4.58 SF
Lease Rate:	$9 PSF (Annual)
Base Monthly Rent:	$11,557
Lease Type:	NNN
Nearest MSA:	Lewiston-Auburn
County:	Androscoggin
Loading:	1 Door
Tax ID/APN:	01010_221-041
Zoning:	GB
Gross Building Area:	15,410 SF
Property Visibility:	Excellent
Parking Type:	Surface



Overview/Comments

15,410± SF office space for lease

4.58± AC site along Little Androscoggin River

Full-service back up generator on site

Building-mounted & street pylon signage available

Located within an "Opportunity Zone" close to an abundance of residences and downtown amenities

On site parking with 75+ spaces

Lease Rate: $9.00/SF NNN

More Information Online

https://portacompany.catylist.com//listing/30755368

QR Code

Scan this image with your mobile device:

Property Contacts

Timothy J. Millett
Porta & Company
207-713-6995 [M]
207-747-1515 [O]
TMillett@portacompany.com

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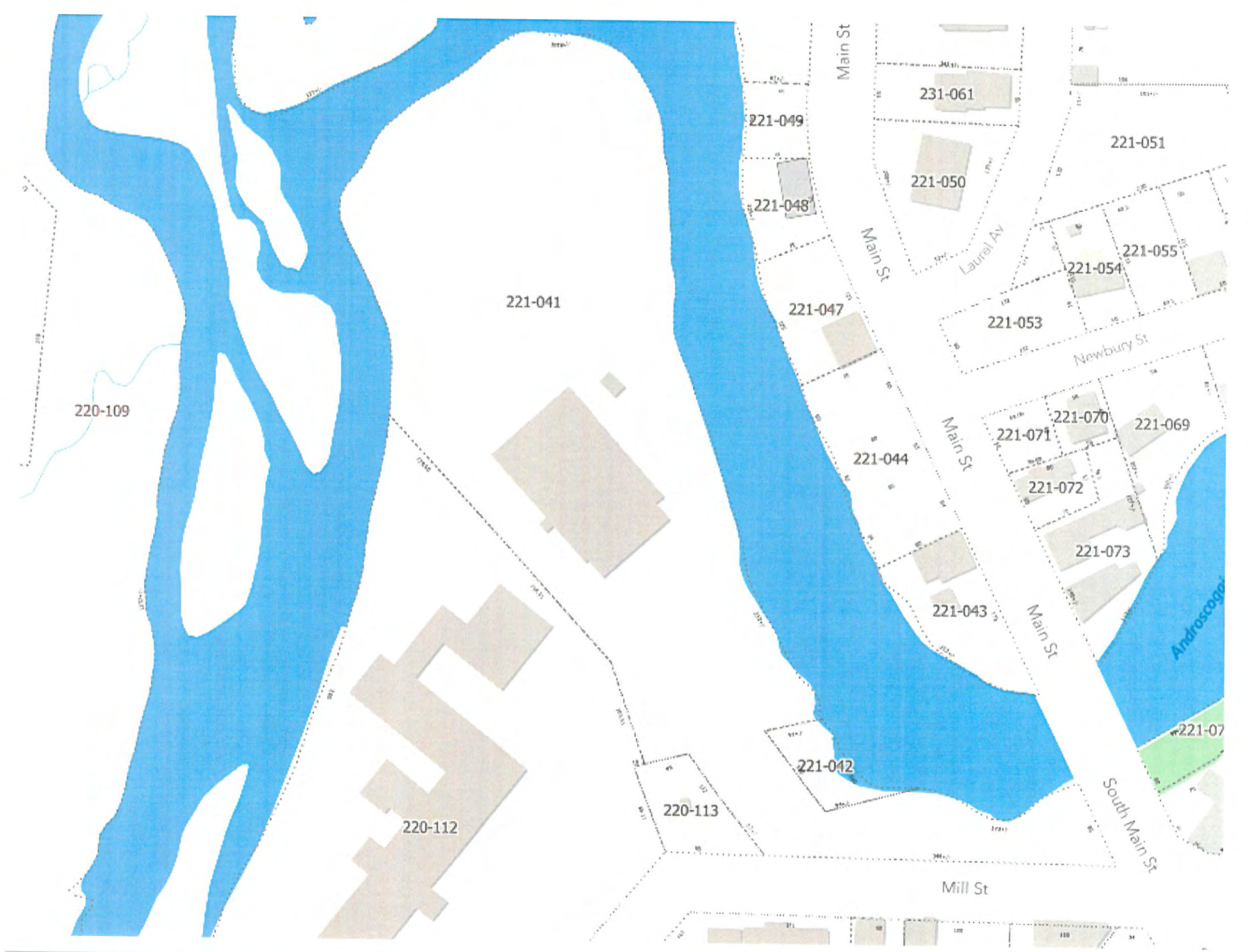
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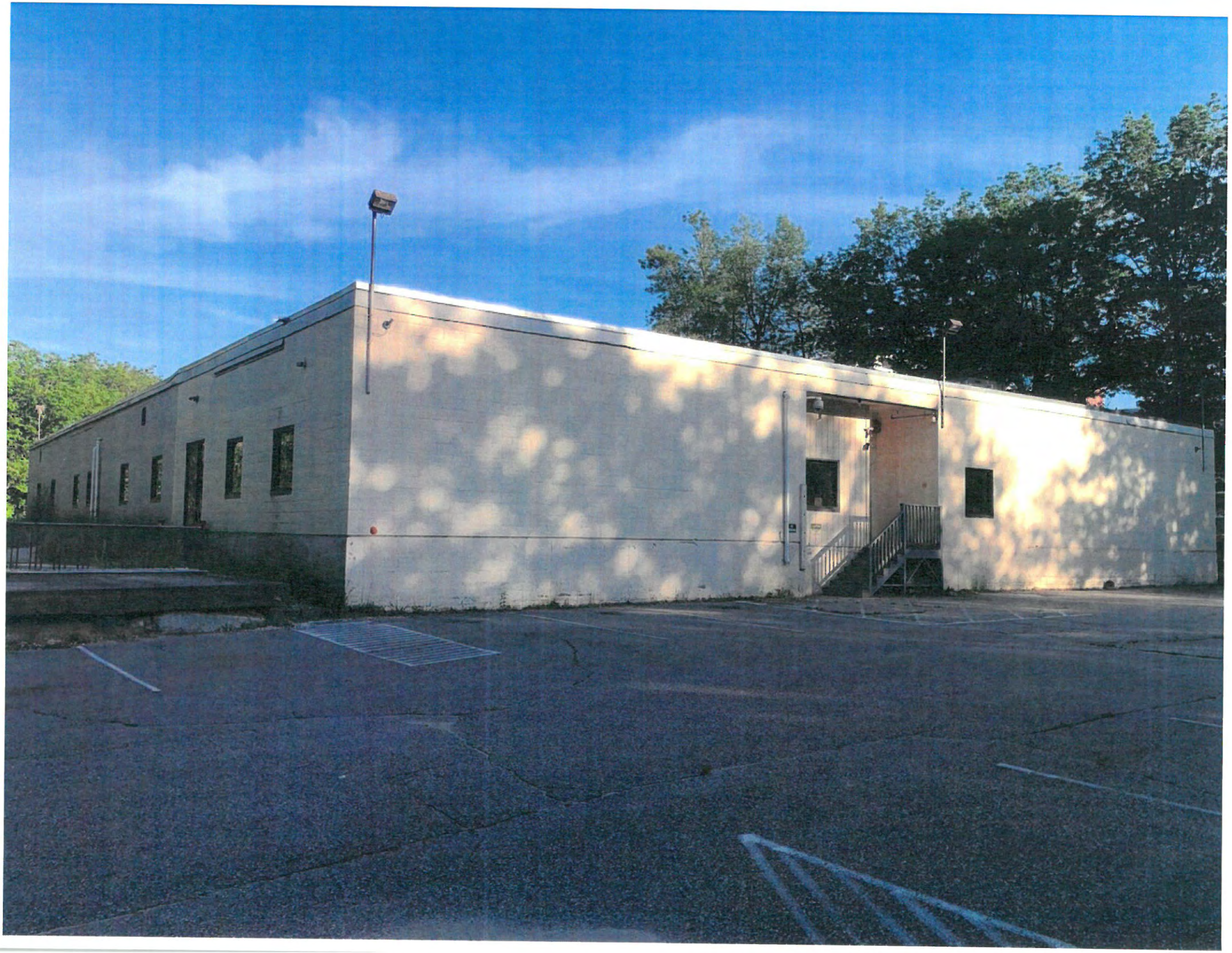
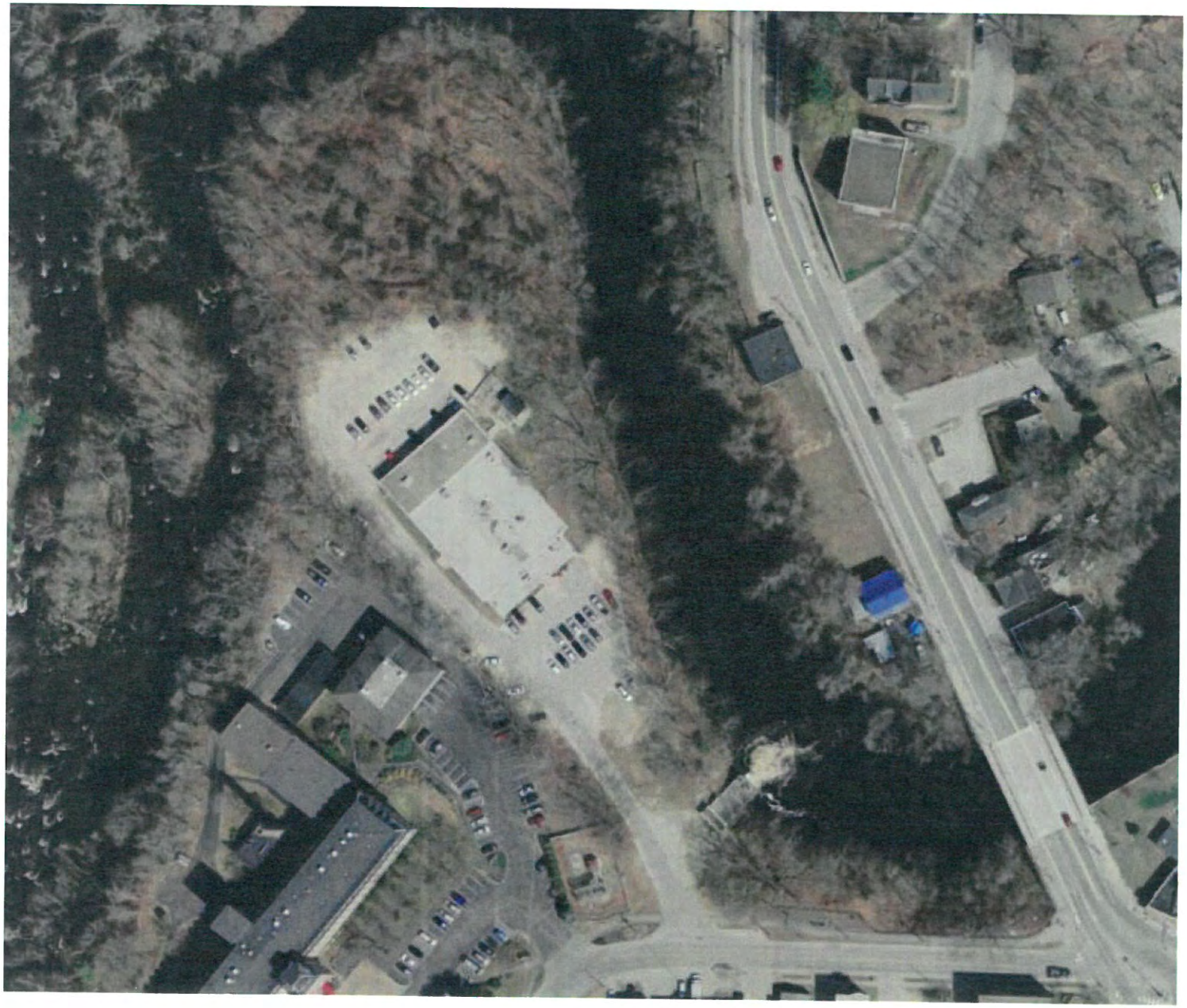
220-112
Mill St

Great Falls



HEALTHY
DIRECTIONS

OFFER
EVERYTHING
EVERY TIME
$
EXIT
A.LWAYS
B.E
C.LOSING



ORDER 102-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Manager to negotiate and execute the purchase of 121 Mill Street, Auburn Maine, 04210, Auburn Parcel ID 221-041.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large

Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 103-07182022

Author: Alison F. Pepin, Deputy Clerk

Subject: The Cheesy Skillet

Information: The Cheesy Skillet, an existing business located at 80 Airport Drive applied for a Liquor License to serve beer and wine. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

City Budgetary Impacts: None

Staff Recommended Action: Public Hearing and recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Applications
- Public Notice
- Order

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interested in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- ☑ Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- ☑ Your application is signed and dated by a duly authorized person.
- ☐ The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
- ☐ The license fee submitted is for the correct fee for the license class for which you are applying and includes the $10.00 filing fee.
  - ☐ The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
  - ☐ If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the $10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- ☐ For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- ☐ A diagram of the facility to be licensed must accompany **all** applications whether for a new license or the renewal of an existing license
- ☐ If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- ☐ Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:
   Bureau of Alcoholic Beverages and Lottery Operations
   Division of Liquor Licensing and Enforcement
   8 State House Station
   Augusta, ME 04333-0008
2. Courier/overnight address:
   Bureau of Alcoholic Beverages and Lottery Operations
   Division of Liquor Licensing and Enforcement
   19 Union Street, Suite 301-B
   Augusta, ME 04330

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): The Cheesy Skillet	Business Name (D/B/A): Danny D Caron
Individual or Sole Proprietor Applicant Name(s): Danny D Caron	Physical Location: 80 Air Port Drive
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 72 Blackmer St Apt 6
Mailing address, if different from DBA address: 72 Blackmer St Apt 6	Email Address: Thecheesyskillet@gmail.com
Telephone # 207-557-8239 Fax #:	Business Telephone # 207-740 3946 Fax #:
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #: 1226969
Retail Beverage Alcohol Dealers Permit:	Website address: Thecheesyskillet.com

1. New license or renewal of existing license? ☑ New Expected Start date: _____
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: 4,000 monthly Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☑ Malt Liquor (beer) ☑ Wine ☐ Spirits

4. Indicate the type of license applying for: (choose only one)

☑	Restaurant (Class I, II, III, IV)	☐	Class A Restaurant/Lounge (Class XI)	☐	Class A Lounge (Class X)
☐	Hotel (Class I, II, III, IV)	☐	Hotel – Food Optional (Class I-A)	☐	Bed & Breakfast (Class V)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

80 Airport Drive Auburn ME

6. Is the licensee/applicant(s) citizens of the United States? ☑ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☑ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☐ Yes ☑ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☑ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☑ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
The Cheesy Skillet		80 Hotspot Dr Auburn ME

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Danny D Caron Sr.	03/21/1961	Grand Isle Maine

Residence address on all the above for previous 5 years

Name	Address:
Danny D. Caron Sr.	92 Blackmer St Auburn ME
Name	Address:
Name	Address:
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☑ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☑ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☑ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☑ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☑ No

If No, please provide the name and address of the owner:

Auburn/Lewiston Airport Auburn Me.

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Dining Room that sits 45 guest

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Jehovahs

Distance: ½ mile

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: _____

Signature of Duly Authorized Person

Signature of Duly Authorized Person

Danny D Caron Sr.

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

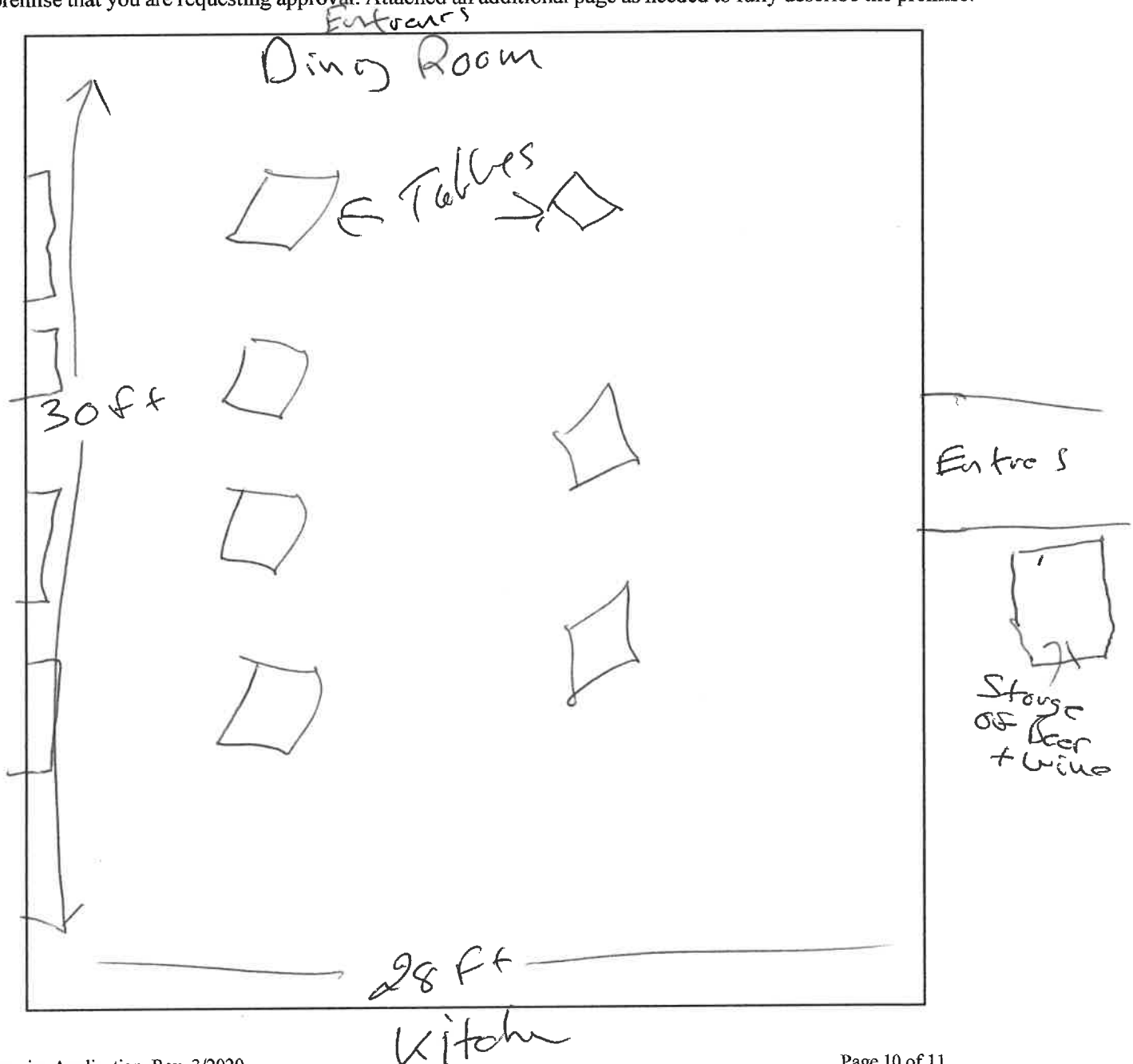
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)** This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	$ 900.00
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only hotels that do not serve three meals a day.	$1,100.00
Class II	**For the Sale of Spirits Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	$ 550.00
Class III	**For the Sale of Wine Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	$ 220.00
Class IV	**For the Sale of Malt Liquor Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	$ 220.00
Class III and IV	**For the Sale of Malt Liquor and Wine Only** This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	$ 440.00
Class V	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Club without catering privileges.	$ 495.00
Class X	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Class A Lounge	$2,200.00
Class XI	**For the sale of liquor (malt liquor, wine and spirits)** This class includes only a Restaurant Lounge	$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Danny D Cassa
2. Doing Business As, if any: The Cheesy Skillet
3. Date of filing with Secretary of State: _____ State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

   _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Danny D Cassa Sr	92 Blackmore St	03/21/61	owner	100%

(Ownership in non-publicly traded companies must add up to 100%.)

ORDER 103-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Liquor License for The Cheesy Skillet located at 80 Airport Drive, Auburn, ME.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 104-07182022

Author: Brian Wood, Assistant City Manager

Subject: ARPA (American Rescue Plan Act) - Acquisition of the Lake Auburn Community Center Property

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Information: The City of Auburn was approached by the Lake Auburn Watershed Neighborhood Association to purchase the Lake Auburn Community Center. The purchasing of this parcel would be to ensure current and future generations have access to this public land, tree farm, trails, volleyball courts and other recreational activities. This partnership will also generate educational opportunities for youth, with specific emphasis on environmental sustainability.

The City of Auburn will partner with other organizations to ensure proper upkeep and maintenance of this 6.1.1-acre parcel. Current conservation easements will remain unchanged.

The purchase of this property is an allowable expenditure under ARPA's final rule – 2.22 - *Strong Healthy Communities: Neighborhood Features that Promote Health and Safety.*

City Budgetary Impacts: None.

Staff Recommended Action: Vote to authorize the City Manager and/or his designee to execute the final purchase and sale agreement of the Lake Auburn Community Center and land associated with it.

Previous Meetings and History:
Council Workshop – April 19, 2022, Council voted to allocate $100,000 of ARPA funds to purchase the lake Auburn Community Center (Order 55-05022022). This order new order authorizes the City Manager and/or his designee to execute the final purchase and sale agreement of the Lake Auburn Community Center and land associated with it and to approve and/or assume all leases that may be associated with said purchase.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

ORDER 104-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council authorizes the City Manager and/or his designee to execute the final purchase and sale agreement of the Lake Auburn Community Center and land associated with the Community Center, and to approve and/or assume all leases that may be associated with said purchase.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Ordinance:** 18-07182022

Author: Eric J Cousens, Planning and Permitting Director

Subject: Public Safety, Detention, and Correctional Facility Moratorium

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Information: The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

A moratorium was adopted on March 7, 2022 on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist, however staff has not been able to fully address this and is proposing the city council extends the moratorium, for another six months as allowed by State law.

City Budgetary Impacts: None

Staff Recommended Action: Extend the moratorium for another six months.

Previous Meetings and History: NA

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Proposed Moratorium

ORDINANCE 18-07182022

City Council Ordinance

CITY OF AUBURN

EXTENDING THE PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE

Be it Ordained, that the City Council hereby extends the six-month moratorium below that was adopted on March 7, 2022 for another six months.

THE CITY OF AUBURN adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

WHEREAS, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

WHEREAS, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

WHEREAS, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

WHEREAS, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

WHEREAS, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

WHEREAS, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safely Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

WHEREAS, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

WHEREAS, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health. land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

BE IT FURTHER ORDAINED, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 3. Definitions.

Correctional Facility means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

City means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Detention Facility means a facility in which persons are held and housed in custody under

City Council Ordinance

process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

Public Safety Facility means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

Section 4. Effective Date; Emergency Declaration

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

Adopted on March 7, 2022

Extended by 6 months on: Date

City of Auburn
City Council Information Sheet

Council Public Hearing: July 18th, 2022 **Ordinance:** 19-07182022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: First Reading: Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

I. **Information**: The comprehensive plan update adopted on December 6, 2021, identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended by Planning Board on June 21 and amended by City Council on June 27, 2022: *Residential uses should be allowed at a density driven by the form, lot size and configuration of the lot with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

II.

1.) All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2.) Residential Facilities allowed with special exception approval from the Planning Board.
3.) Lodging allowed with special exception approval from the Planning Board.
4.) Personal Services allowed with special exception approval from the Planning Board.
5.) Age restricted retail not allowed.
6.) Restaurants with over 30 seats not allowed.
7.) Government offices allowed with special exception approval from the Planning Board.
8.) Parking requirements (public or private) may be provided within 500 feet of the establishment for all FBC.
9.) Office, Service and Retail Use limited to 1,500 SF footprint and must include a residential unit, no drive through businesses allowed.
10.) Multifamily allowed with special exception approval from Planning Board.
11.) Artist studios and performing arts centers allowed with special exception
12.) No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.

The Planning Board and Council considered an adoption of a new Form Based Code T-4.2B. Staff recommends creating this new zoning district that better fits the area and incorporates a text component of new zone T-4.2B as recommended by the Council and Planning Board. Council amended Planning Board's recommendation to change the front setback requirements from a minimum of 5 to a maximum of

15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more. Council instead decided to adopt similar front setback requirements to the General Business (GB) zoning district (#12 above). A draft of the codification based on Planning Board and Council input and the findings of staff report to Planning Board are attached.

Staff Recommended Action: Staff suggests Council hold first reading and public hearing on New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B as recommended by Planning Board on June 21 and amended by Council on June 27, 2022.

Previous Meetings and History: January 3rd Council Discussion Initiation, March 21,2022 Council First Reading and February 8th and March 8, 2022, Planning Board, June 21st Planning Board Meeting, June 27th City Council Meeting

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City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Board recommendation as amended on June 21st, Ordinance, Staff Memo of City Council comments from June 27, 2022, Division 14, Form Based Code excerpt with proposed T-4.2B changes.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

DRAFT FOR REVIEW AND FINALIZTION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022, the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

"I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception"

Motion: Evan Cyr; Second: Riley Bergeron

"I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more."

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

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Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval."

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: **PUBLIC HEARING: Zoning Map Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**

City of Auburn, Maine
Office of Planning and Permitting
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board from City Council
From: John Blais, Deputy Director of Planning & Permitting
Re: City Council update to T-4.2B
Date: June 28, 2022

The Council acknowledged that the PB did what they asked and they appreciate the recommendation. Council also discussed a couple of considerations or tweaks to the language that they will consider on July 18th.

1. Apply marijuana buffer map over zoning to see if there is any concern with areas available for MJ business being mixed in with another retail store at less than 50% floor area to avoid being an age restricted business under the existing definition. Special exception for any retail business could address the concern if PB reviews them, which is required, but they want the information to consider.

2. Setback Maximum. 25% may create anomalies. Consider GB language that averages adjacent setbacks for conformity with existing patterns: *No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet*.

3. Give map examples of lots over 100 feet deep. Generally, characterize where this is common or unusual.

Action by Planning Board: None required

ORDINANCE 19-07182022

City Council Ordinance

IN CITY COUNCIL

Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

Be it ordained, that the City Council approve the creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B as recommended by the Planning Board on June 21, 2022 and amended as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 14. FORM BASED CODE[1]

Subdivision I. In General

Sec. 60-546. Purpose.

The purpose of the form based code is to:

(a) Provide a building development pattern that is based upon the built environment's physical form and its relationship to the public realm and the private realm.

(b) Allow for a diversity of uses appropriate and compatible to the designated district area.

(c) Provide a more accelerated building design, review, approval and construction process.

(d) Deliver a more predictable building development outcome that is consistent with the traditional pedestrian-oriented street-building development pattern.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

(Ord. No. 04-03072016, 5-16-2016)

[1]Editor's note(s)—Ord. No. 04-03072016, adopted May 16, 2016, repealed former Div. 14, §§ 60-546—60-549, in its entirety and enacted new provisions as herein set out. Former Div. 14 pertained to the central business district and derived from Ord. of 9-21-2009, §§ 3.69A—3.69D; Ord. of 2-16-2010.

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

Illustrative View of T-4.1 (Main Street)

Intent and Purpose:
Traditional Main Street Neighborhood (T-4.1)

The Main Street Neighborhood district is designed to continue the existing pattern of large houses set along Main Street. This area is characterized by front porches, residential front yards and front doors facing the street. T-4.1 promotes a lower-density and less concentrated pattern of buildings along the street, while maintaining a pleasing, connective and compact multi-modal environment.

Characteristic Features

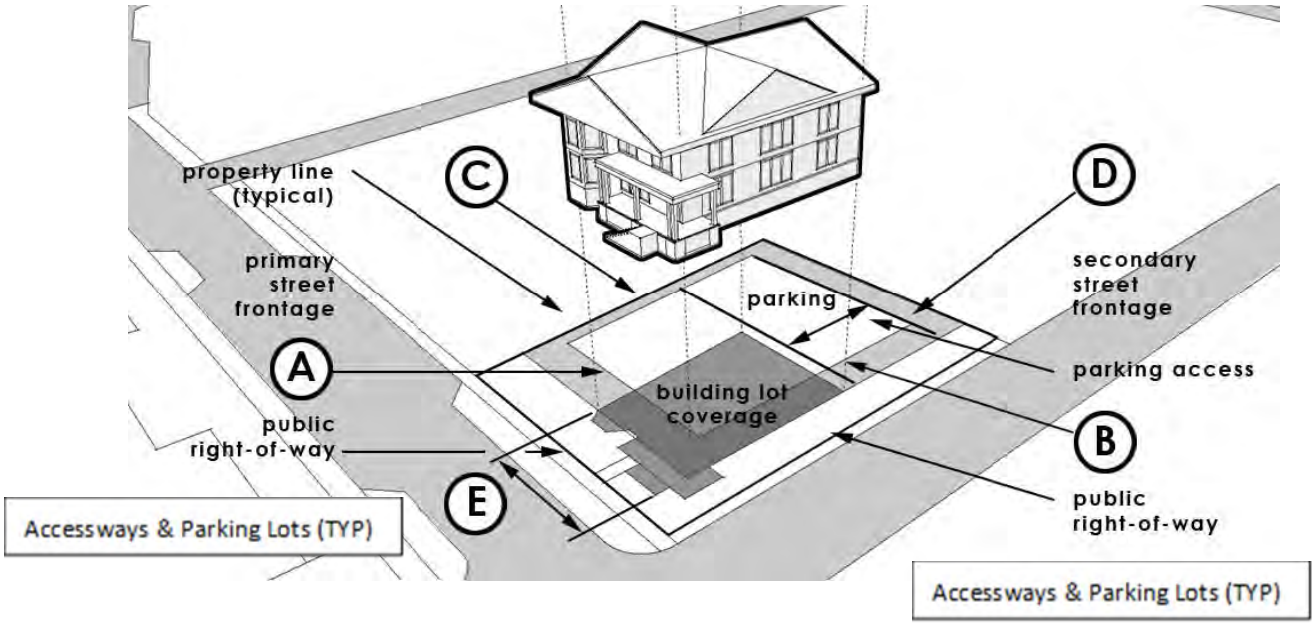
- Front lawns
- Front facade detailing
- Frontage fences
- Porches
- Bay windows
- Foundation planting and yard landscaping
- Street Trees
- Lower Density

Examples of Main Street Neighborhood - T-4.1

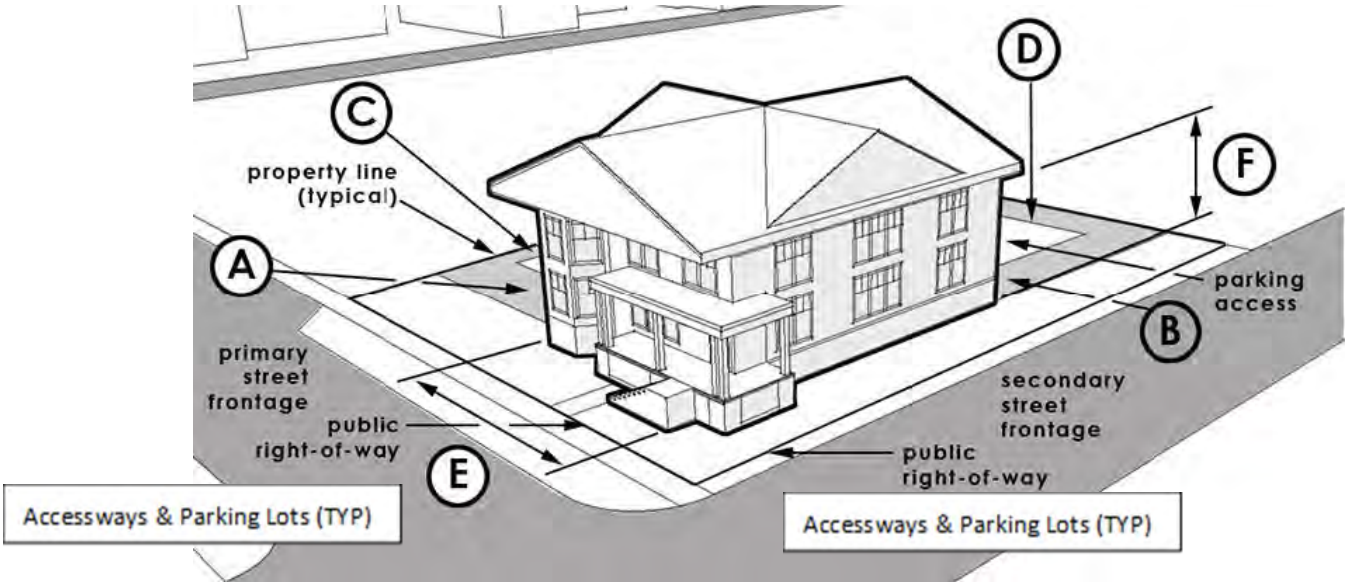
(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.1. Building placement and configuration T-4.1.

Elevated Building Placement



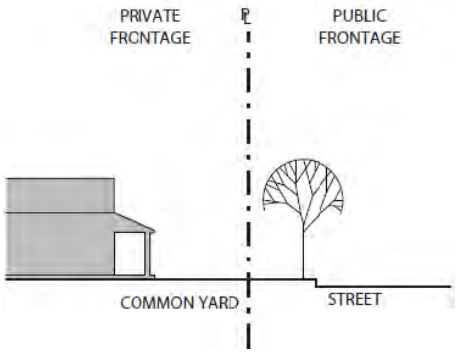
Building Placement on Lot



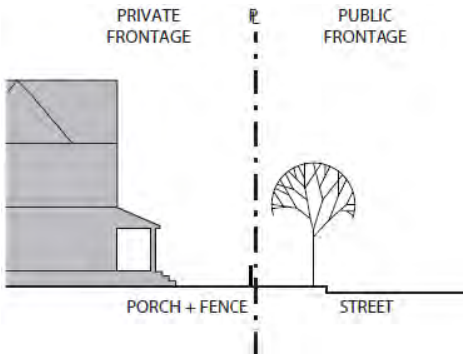
PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	15 ft. Min. 25 ft. Max.	(A)
(Corner Lot) Front Setback, Secondary:	15 ft. Min., 25 ft. Max	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	60% Max.	
Useable Open Space:	20% Min.	
Frontage Build-Out:	40% Min. (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 64 ft. Max.	(E)
Building Height Minimum:	2 Story Min.	(F)
Building Height Maximum:	2 Story Max. (excluding attic story)	(F)

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.2. Building frontages types T-4.1.



Common Yard



Porch Yard

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard

BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Building Frontage Facades:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation:	The ground story shall be a minimum of 2 feet and 6 feet maximum above the front yard elevation (average grade).
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.3. External elements T-4.1.

Front Yard Fence:	A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. Chain link, vinyl, split rail, or barbed wire is not allowed.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum or maximum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 10 ft. maximum. Front Setback, Secondary Frontage 10 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or

	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

(Insert Image)

Intent and Purpose:
Traditional Neighborhood (T-4.2B)

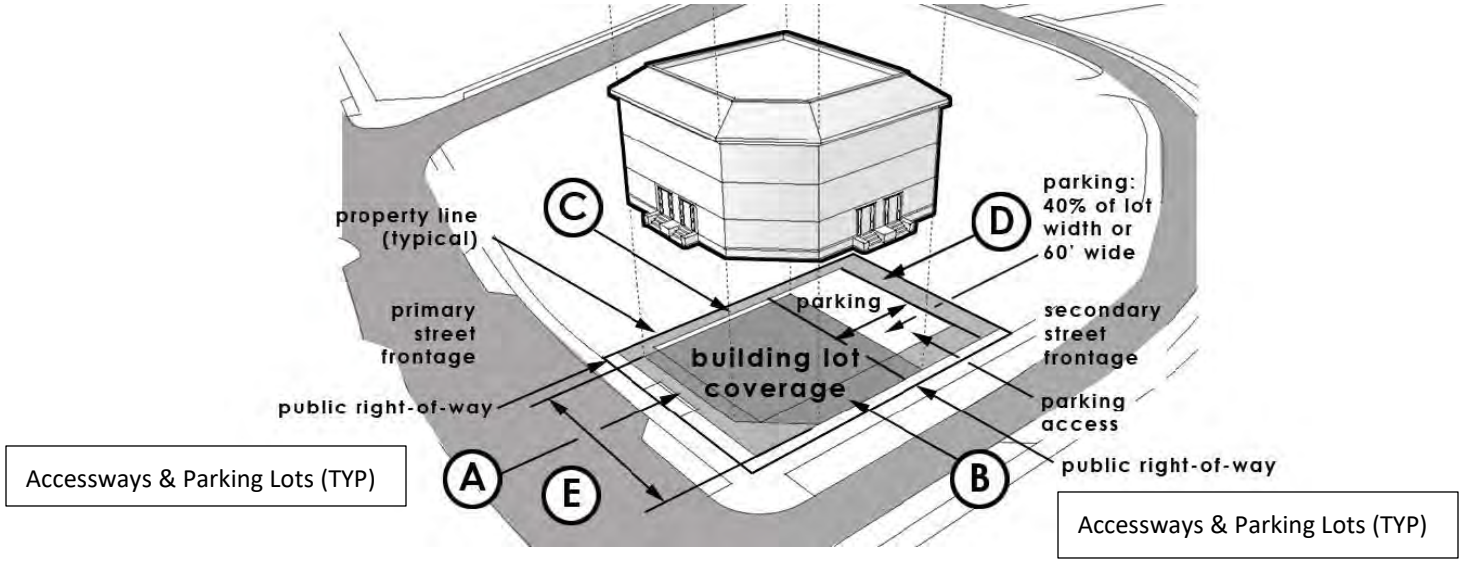
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

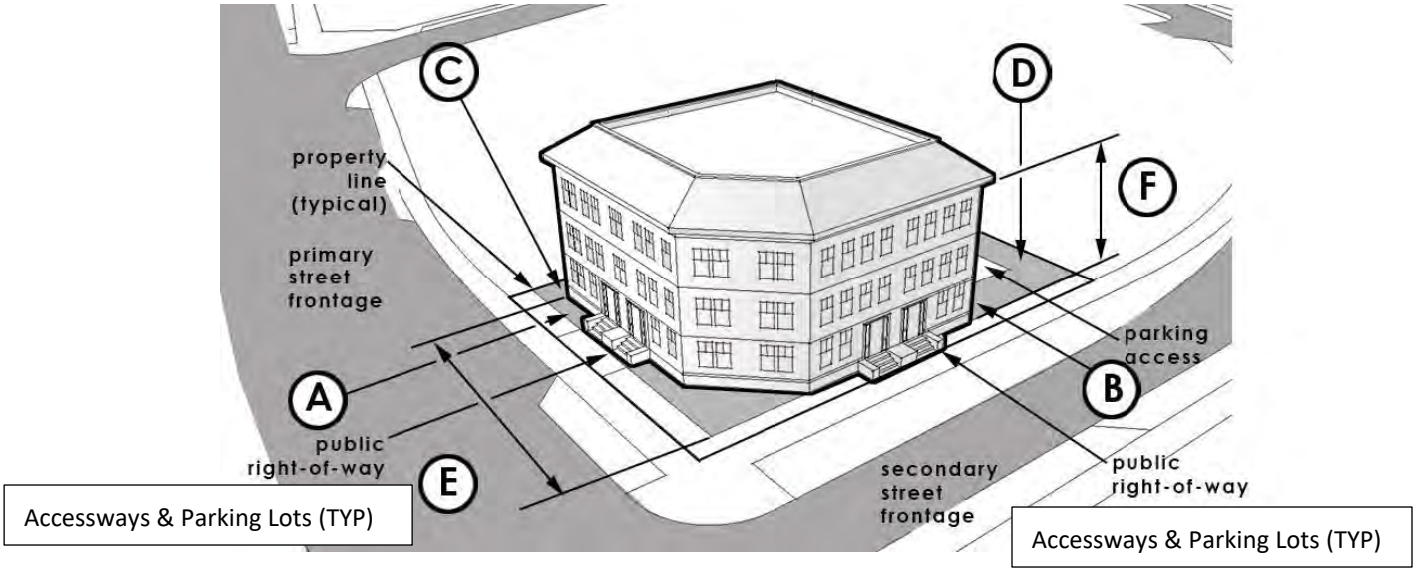
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1B. Building placement and configuration T-4.2B.



Elevated Building Placement



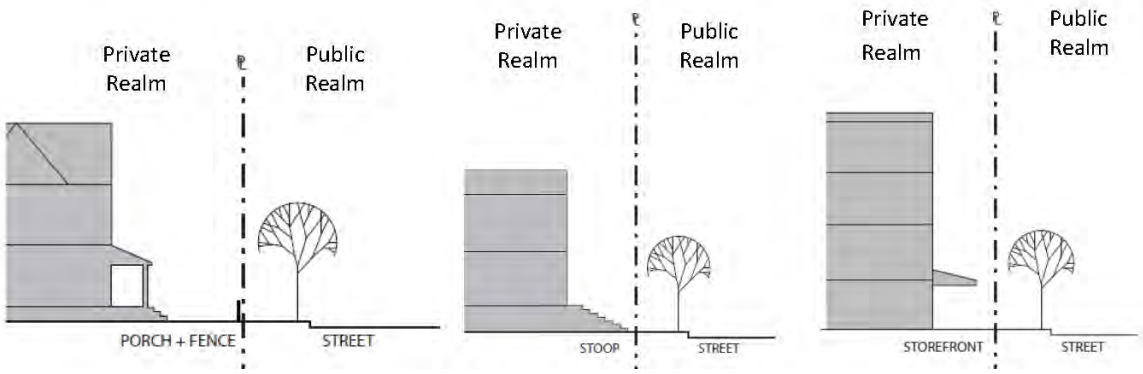
Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min., ~~15 ft.~~ 25 ft. Max*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., ~~15 ft.~~ 25 ft. Max. *	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

* No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2B. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3B. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)

Intent and Purpose:
Traditional Downtown Neighborhood (T-4.2)

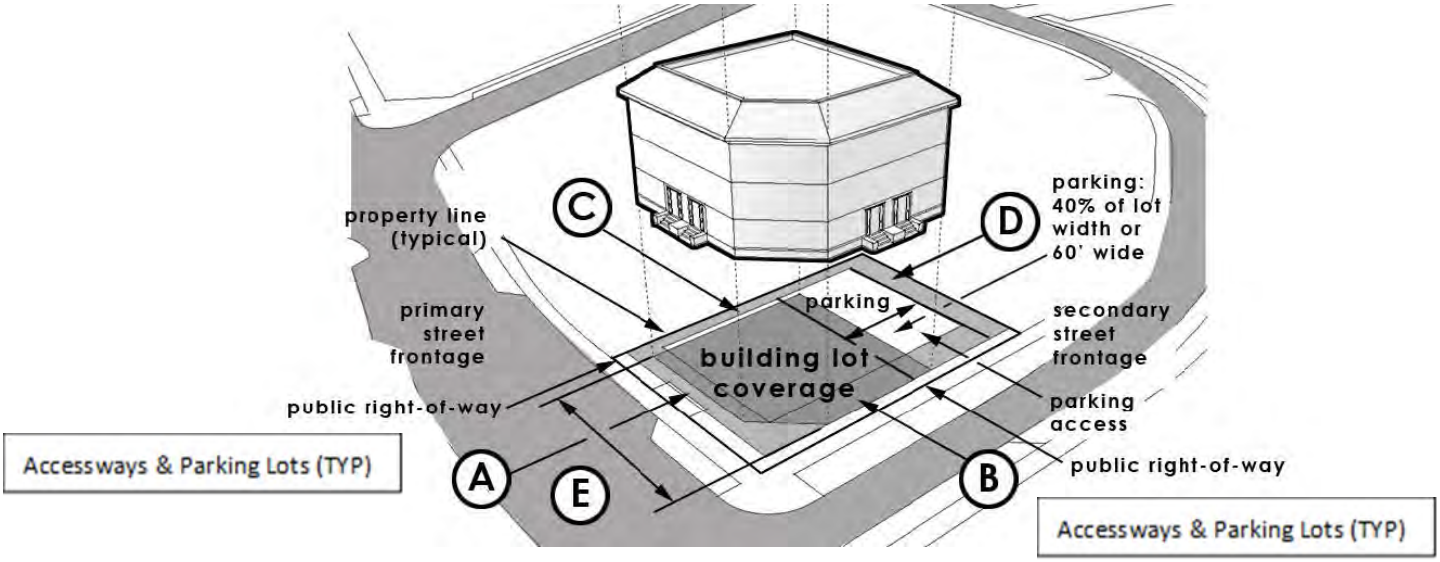
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

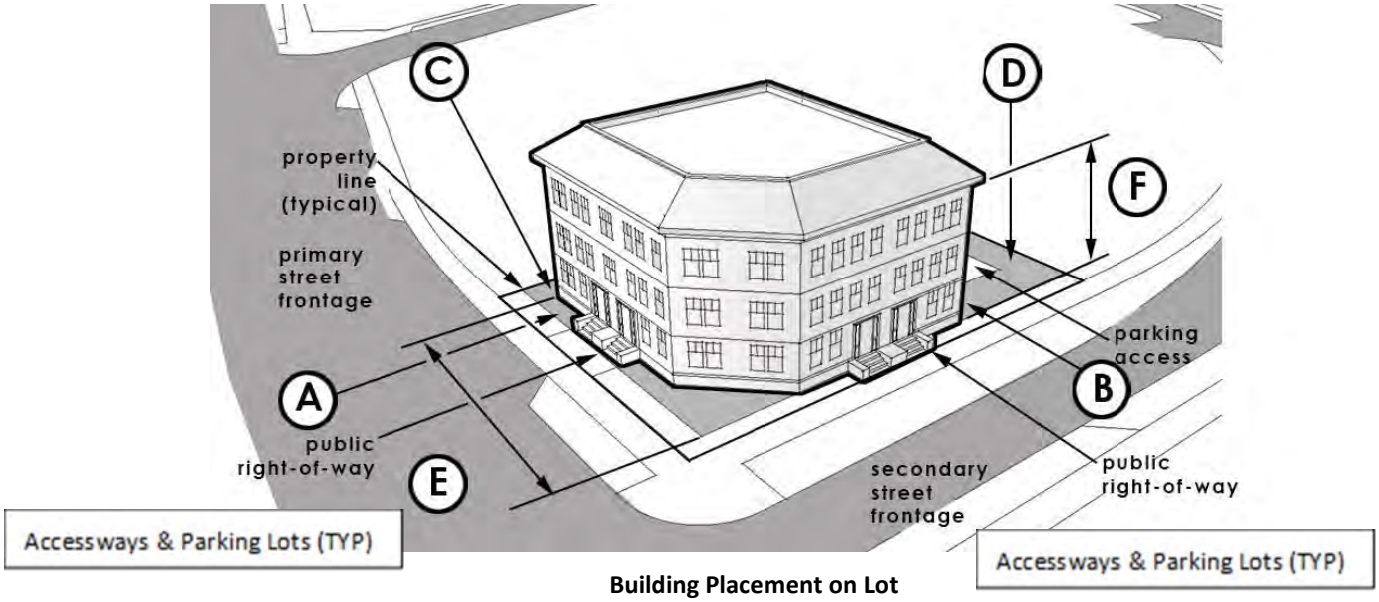
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1. Building placement and configuration T-4.2.



Elevated Building Placement

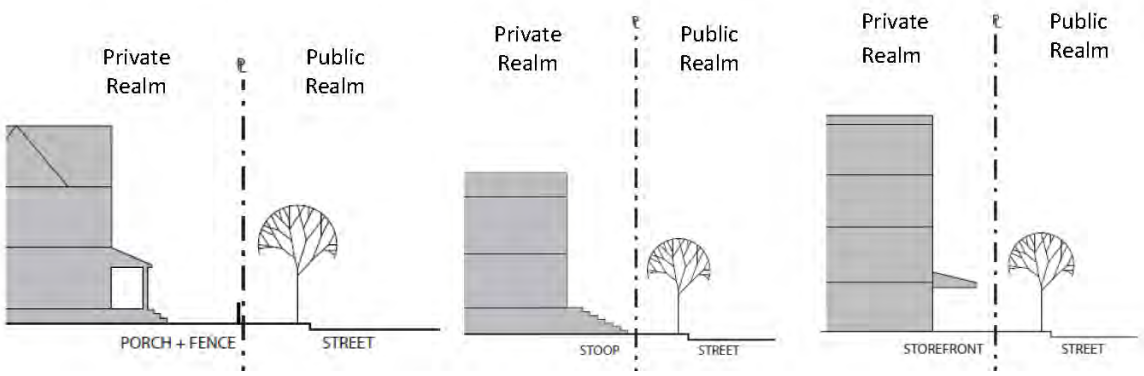


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4,5)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service Type Use							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None

Retail Type Use							
General Retail	S	**S**	S	P	P	P	None
Age Restricted Retail (3)	S	**X**	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		**X**	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	**S**	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	**S**	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in **T-4.1 T-4.2, T-4.2B**, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within **500** feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must have a residential unit, with drive- through access not allowed.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

(1) The form based code shall regulate areas designated as form based code districts.

(2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

(3) Site plan/special exception. Any project located within a form based code district that requires special exception or site plan review shall comply with section 60-45.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-556. Form based code plan types.

(a) *Administrative types.*

(1) *By right.* No permits are required for projects such as normal maintenance or for new structures under 200 square feet.

(2) *Minor administrative.* Projects that require permits and comply with all form based code or zoning regulations, may be approved and permitted by the appropriate city departmental staff and will not require multiple departmental or planning board approval. These projects can be applied for at any time.

(3) *Major administrative.* Projects that do not qualify as a Subdivision. Special exception or site plan review type plans and comply with all form based code or zoning regulations, but due to multiple issues, will require review by the multiple city departmental staff.

(b) *Discretionary type plans.* The following plan types shall require review and action by the planning board.

(1) Subdivisions of three or more lots over a five-year period or a project creating more than three dwelling units. (Subdivision Review).

(2) Any project listed as special exception or "S" in section 60-554, Use and Parking Matrix Chart. (Special Exception and Site Plan Review).

(3) Any project within the form based code district proposing a total of 12,000 square feet of new construction, all floors included. (Special Exception and Site Plan Review).

(4) Any amendment to an existing discretionary plan that increases existing square footage more than 25 percent.

(5) Any project located within the form based code district area that seeks a waiver from the adopted form based code regulating development standards shall submit a complete Special Exception and Site Plan Review application for Planning Board review and action.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-557. Applicability.

(a) Any minor, major administrative type plan and/or discretionary plan, as defined in section 60-556, located within a form based code district, shall be required to submit a development review application prior to any issuance of building permits or development activity.

(b) Any development activity on or within property located with the form based code district shall be reviewed for compliance with applicable form based code or zoning ordinance regulations.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-558. Form based code development application procedure.

(a) *Administrative type plan application process.*

(1) Applicant identifies the subject property's zoning/transect district and determines what plan type the project is.

(2) Applicant reviews the project's compliance for form based code development standards, sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance Regulations.

(3) Pre-development consultation. All administrative type plan applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the property's form based code or zoning district and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Any minor or major administrative plan or discretionary plan applicant in a form based code district shall complete and submit a cover letter describing the project, a development review application, a form based code development checklist and the appropriate application fee and number of applications to the planning office.

(5) All form based code applications will be reviewed by the planning staff for completeness and applicant will be notified within five working days if the plan is deemed complete and whether the plan is administrative or discretionary. The applicant is responsible for working with the planning staff to correct any deficiencies needed to be accepted for further review.

(6) Type 2 and 3 administrative plans will be reviewed by the appropriate city departmental staff or other relevant agencies who will recommend approving, disapproving or postponing to allow for time to correct the application. The director of planning will notify the applicant of the decision in writing within 15 calendar days of its receipt of a completed application.

(7) The director of planning shall have the authority to require an administrative plan to be considered by the planning board and notify the applicant the justifications for doing so.

(b) *Discretionary project application process.*

(1) Applicant identifies subject property's zoning/transect and determines what plan type the project is.

(2) Applicant reviews the project's compliance for the applicable form based code development standards sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance regulations.

(3) Pre-development consultation. All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the form based code or zoning regulations and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Discretionary plan applicants will submit; a development review application, a form based code development checklist the appropriate application fee and number of applications to the planning office for review and consideration by the planning board according to their normal submission deadline and meeting schedule.

(5) Applications not meeting all the requirements of the form based code may include waiver as per section 60-1312 or variance requests as part of their application.

(c) *Waiver requests.*

(1) Any waiver request of form based code standards and requirements must identify what is regulation is being requested for the waiver and include a narrative explaining how the waiver, if approved, will allow the project to meet the purpose of the form based code and the objective of section 60-1277, site plan review.

(d) *Planning board approval.*

(1) The planning board shall approve, approve with conditions, disapprove or postpone based on its review of the application meeting all existing requirements, conditions, criteria and provisions of special exception, site plan review. Subdivision law and any other relevant procedural requirement of Chapter 60, Zoning, as part of its consideration of a form based code application.

(2) The planning board shall provide findings for approval or disapproval based on the application's meeting the purpose of the form based code.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 41, 3-15-2021)

Secs. 60-559—60-576. Reserved.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: July 18, 2022 **Order:** 105-07182022

Author: Rita Beaudry, Grant Manager

Subject: 2022 Byrne Jag Grant – Auburn Police Department

Information: The Auburn Police Department has been awarded a 2022 Edward Byrne Justice Assistance Grant in the amount of $17,341. The formula grant application will provide for production of police recruitment videos. The grant requires Certifications and Assurances by the Chief Executive of the Applicant Government.

City Budgetary Impacts: None

Staff Recommended Action: Execute an order that provides for the Mayor to sign and submit the Certifications and Assurances by the Chief Executive of the Applicant Government for this grant solicitation.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 105-07182022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorize the Mayor, Jason Levesque, on behalf of the City of Auburn, to execute the Edward Byrne Justice Assistance Grant Program FY 2022 Local Solicitation – Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
August 1, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Executive session – Legal consultation, pursuant to 1 M.R.S.A. Sec. 405(6)(E)
- **B.** Application of Traditional Neighborhood Development District T-4.2B - Eric Cousens and John Blais

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Hawes

Pledge of Allegiance

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

1. Order 106-08012022*
Confirming Chief Moen's appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.

II. Minutes

- July 11, 2022, Special Council Meeting
- July 18, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

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

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Order 83-06062022
Allocating $300,000.00 of ARPA Funding to create a two-year pilot program called "Project Support You – Auburn".

2. Ordinance 16-06062022
Approving the zoning amendment for 278 Poland Road. Second reading.

3. Ordinance 18-07182022
Extending the moratorium on public safety, detention, and correctional facilities. Second reading.

4. Ordinance 19-07182022
Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Second reading.

VI. New Business

1. Order 109-08012022
Approving the liquor license for Make Dough, LLC., DBA Otto, Auburn located at 730 Center Street. Public hearing and vote.

2. Order 110-08012022
Adopting the Auburn-Lewiston Consortium HOME-ARP Plan. Public hearing and vote.

3. Order 111-08012022
Approving the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development (TIF) program. Public hearing and vote.

4. Order 112-08012022
Allocating $1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

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

6. Order 113-08012022
Authorizing the marketing of city owned property located at 86 Western Avenue. Parcel ID 230-026.

7. Order 114-08012022
Authorizing the marketing of city owned property located at 129 Winter Street. Parcel ID 260-022.

8. Order 115-08012022
Authorizing the marketing of city owned property located at 104 Newbury Street. Parcel ID 21-067.

9. Order 116-08012022
Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

10. Order 117-08012022
Authorizing the marketing of city owned property located at 369 Main Street. Parcel ID 221-044.

11. Order 118-08012022
Authorizing the marketing of city owned property located at 351 Main Street. Parcel ID 221-048.

12. Order 119-08012022
Authorizing the marketing of city owned property located on Vickery Road. Parcel ID 183-029.

13. Order 120-08012022
Authorizing the marketing of city owned property, Winter Oak, parcel ID 191-101.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn

City Council Information Sheet

Council Public Hearing or Meeting Date: August 1, 2022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Proposed Application of Traditional Neighborhood Development District T-4.2B.

Information

Suggested Zoning Amendments Outlook (Planning Board & Council)				
Date	**Item No.**	**Process**	**Project**	**Reading**
1-Aug	1	Zone Text Change Public Hearing	Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B (CC)	2nd & Final Vote
9-Aug	2	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (PB)	Recommendation to Council
15-Aug	3	Map Amendment	Court Street Area 1, 687.41 acres from UR to T-4.2B (CC)	1st Vote
6-Sep	4	Map Amendment	Court Street Area 1, 687.41 acres from UR to T-4.2B (CC)	2nd & Final Vote
6-Sep	5	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (CC)	1st Vote
13-Sep	6	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (PB)	Recommendation to Council
19-Sep	7	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (CC)	2nd & Final Vote

3-Oct	8	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (CC)	1st Vote
11-Oct	9	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (PB)	Recommendation to Council
17-Oct	10	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (CC)	2nd & Final Vote
17-Oct	11	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (CC)	1st Vote
7-Nov	12	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (CC)	2nd & Final Vote

Staff Recommended Action: Review recommendations and provide feedback.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 Order: 106-08012022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Ryan Jones as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests City Council appointment of Ryan Jones as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Ryan Jones as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
N/A

ORDER 106-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Moen's appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL SPECIAL MEETING JULY 11, 2022, VOL. 36 PAGE 273

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

I. **Executive Sessions:**

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

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

Passage 7-0, time 5:30 pm.

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

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

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

Passage 7-0, time 6:30 pm.

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

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

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

Passage 7-0, time 7:13 pm.

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

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

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

Passage 7-0, time 7:45 pm.

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

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

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

Passage 7-0, time 7:55 pm.

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

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JULY 18, 2022, VOL. 36 PAGE 275

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

Pledge of Allegiance

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

1. Order 96-07182022*
Casting a vote to appoint City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's Executive Committee for a three-year term.

2. Order 97-07182022*
Appointing City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's 2022-2024 Legislative Policy Committee.

3. Order 98-07182022*
Accepting the transfer of the Smith & Wesson M&P 9mm to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-654).

4. Order 99-07182022*
Casting votes for Larry Pelletier and Leroy Walker to represent County Commission District 6 on the Androscoggin County Budget Committee.

5. Order 100-07182022*
Casting votes for Phil Crowell and Gordon Bell to represent County Commission District 5 on the Androscoggin County Budget Committee.

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

Passage 7-0.

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

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

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

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

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

IV. Open Session

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

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

V. Unfinished Business

1. Ordinance 17-06272022

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

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

Public comment – No one from the public spoke.

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

2. Order 83-06062022

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

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

Public comment – No one from the public spoke.

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

Passage 7-0.

3. **Ordinance 16-06062022**
Approving the zoning amendment for 278 Poland Road. First reading (a public hearing was held on 6/6/2022 and the item was postponed to July 18, 2022).

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

Public comment –

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

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

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

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

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

Passage 7-0.

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

4. **Order 93-062762022**
Directing the City Manager to move forward with the bid process for the upgrades and/or replacements of HVAC systems in our city-owned facilities that have been identified as the four priority initiatives ($1,600,000.00 to be funded either with ARPA funds or bond to be determined).

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

Public comment – No one from the public spoke.

Passage 7-0.

VI. New Business

1. Order 101-07182022
Adopting the CDBG/HOME Program Year 2022 Annual Action Plan. Public hearing.

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

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

Passage 7-0.

2. Order 102-07182022
Authorizing the City Manager to negotiate and execute the purchase of 121 Mill Street, Auburn, Maine, parcel ID 221-041.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 103-07182022
Approving the liquor license for The Cheesy Skillet. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 104-07182022
Authorizing the City Manager to execute a purchase and sale agreement for the Lake Auburn Community Center.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Ordinance 18-07182022

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

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

Public hearing – No one from the public spoke.

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

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

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

6. Ordinance 19-07182022

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

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

Public hearing –

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

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

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

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

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

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

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

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

7. **Order 105-07182022**
Authorizing the Mayor to sign and submit Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the 2022 Edward Byrne Justice Assistance Grant application.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

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

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

IX. Executive Session - None

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

Ms. Susan Clements-Dallaire, City Clerk

City of Auburn, Maine

60 Court Street

Auburn, Maine 04210

Dear Ms. Clements-Dallaire,

Accompanying this letter are 102 certified referendum petition papers bearing a total of 2120 signatures of registered Auburn voters which are being collectively filed as a single petition. This petition seeks the repeal of Auburn Ordinance 08-03072022 which amends the city's zoning map and modifies the boundary of the Lake Auburn Watershed Overlay District Map. This petition is being filed by the committee created by affidavit filed with your office on April 20, 2022, and which has come to be known informally as the Committee to Protect Lake Auburn. The number of signatures on the petition exceeds 10% of the number of registered voters of the City on the date the committee filed its affidavit. Each of the petition papers incorporates two Circulator's Affidavits; the first printed on the reverse side on the petition and an attached second affidavit which tracks the requirements of the present City Charter.

Please proceed to review these petition documents in accordance with Section 9.4 of the Charter and issue your certificate accordingly. Please notify the appropriate officials of Auburn city government as soon as possible, including those officials responsible for issuing and/or acting on permits, that Ordinance 08-03072022 is now suspended, effective upon the filing of these collective petition papers, until one of the further actions set forth in Section 9.5 of the Charter has been completed.

Thank you for your assistance in this petition process.

Keri Myrick, for the committee

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Order**: 83-06062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Project Support You - Auburn

Information: Allocate $300,000.00 of ARPA Funding to create a two-year pilot program, "Project Support You – Auburn." The program design is to have co-responders with the police and fire department engage with residents that need services other than those traditionally responding. This employee will work with residents to access other programs required to serve our residents better and reduce the need for fire and police response in the future.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: March 21, 2022 Workshop Item, June 6, 2022, and July 18, 2022 postponed until today.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: See attached packet

PSY Co-Responder Program

Public Health

Project Support You - Auburn

We are here to request a total of $300,000 in ARPA funds for a two-year pilot of "Project Support You - Auburn," (PSY Auburn)

The program design is based on best practices from other programs used nationally to better meet the needs of individuals struggling with homelessness, mental illness, substance misuse, and access to care while reducing the number of calls for service our police and paramedic teams respond to from frequent system utilizers through diversion to longer term, sustainable, and appropriate support services.

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Program Description

PSY is a "boots on the ground" service that would employ a TCMHS employee to be shared between AFD and APD to respond ***with*** our first responder teams in real time.

The PSY worker will follow-up on needs identified by AFD and APD that would benefit individuals utilizing services and in need of community supports.

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Maine Shared CHNA

The Maine Shared Community Health Needs Assessment (MSCHNA) report data for 2021 have been compiled, and the data on the state's interactive portal is now available.

The interactive portal can be accessed here: https://www.maine.gov/dhhs/mecdc/phdata/MaineCHNA/maine-interactive-health-data.shtml

Social Determinants of Health

Indicator	Androscoggin	Maine
Individuals living in poverty	**2015-2019 11.8%**	2019 10.9%
Children living in poverty	**2019 15.3%**	2019 13.8%
Median household income	**2015-2019 $53,509**	2019 $58,924
Households that spend more than 50% of income towards housing	**2015-2019 10.9%**	2015-2019 12.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Social Determinants of Health

Indicator	Androscoggin	Maine
Housing insecure (high school students)	**2019** **4.4%**	2019 3.3%
Adverse childhood experiences (high school students reporting at least four out of nine ACEs)	**2019** **22.5%**	2019 21.3%
Children eligible for free or reduced lunch	**2021** **60.9%**	2021 38.2%

Source: Maine Interactive Health Data: [Maine Interactive Health Data | MeCDC | Maine DHHS](), accessed 2/1/2022

Mental Health

Indicator	Androscoggin	Maine
Depression, current symptoms (adults)	**2015-2017 11.2%**	2017 9.6%
Anxiety, lifetime	**2015-2017 26.3%**	2017 21.8%
Ratio of population to psychiatrists	**2019 19,079.0**	2019 12,985.0

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Mental Health - Youth

Indicator	Androscoggin	Maine
Sad/hopeless for two weeks in a row (high school students)	**2019 34.1%**	2019 32.1%
Seriously considered suicide (high school students)	**2019 18.7%**	2019 16.4%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes – Mental Health

Indicator	Androscoggin	Maine
Mental health emergency department rate per 10,000 population	**2016-2018** **278.8**	2018 170.6
Suicide deaths per 100,000 population	**2015-2019** **18.9**	2019 19.4

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Chronic heavy drinking (adults)	**2015-2017 6.5%**	2017 8.9%
Past-30-day alcohol use (high school students)	**2019 18.2%**	2019 22.9%
Binge drinking (high school students)	**2019 6.2%**	2019 8.2%
Past-30-day marijuana use (adults)	**2017 15.9%**	2017 16.3%
Past-30-day marijuana use (high school students)	**2019 21.5%**	2019 22.1%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Past-30-day misuse of prescription drugs (high school students)	**2019** **5.5%**	2019 5.0%
Past-30-day misuse of prescription drugs (middle school students)	**2019** **4.1%**	2019 3.0%

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
Drug-induced deaths per 100,000 population	**2015-2019 28.4**	2019 31.3
Alcohol-induced deaths per 100,000 population	**2016 20.1**	2019 11.3
Overdose deaths per 100,000 population	**2020 47.9**	2020 37.3

Source: Maine Interactive Health Data: Maine Interactive Health Data | MeCDC | Maine DHHS, accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
"Overdose emergency medical service responses per 10,000 population"	**2020** **108.1**	2020 76.7
"Opiate poisoning emergency department rate per 10,000 population"	**2016-2018** **9.7**	2018 8.6
"Opiate poisoning hospitalizations per 10,000 population (ICD-10)"	**2016-2018** **1.5**	2018 1.2

Source: Maine Interactive Health Data: Maine Interactive Health Data \| MeCDC \| Maine DHHS, accessed 2/1/2022

Fatal Overdoses in Androscoggin County

2009	17
2010	15
2011	12
2012	17
2013	14
2014	27
2015	27
2016	35
2017	24
2018	34
2019	33
2020	52
2021	68*

2009 - Q1 2021	
Percent of population	8.06%
% of total fatal overdoses	9.34%
Total incidents per 1,000 people	2.89

2009 - Q1 2021 by age group	
0-20	2.13%
21-30	15.85%
31-40	26.83%
41-50	26.22%
51-60	22.26%
60+	6.71%

*Notes: 2021 total only includes data through November, and contains both suspected and confirmed overdoses. The data is still being confirmed through toxicology.

Data from Maine Drug Data Hub: www.mainedrugdata.org was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center at the request of Catherine Ryder, CEO at TCMHS.

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Housing insecure youth

For the 2021-2022 school year, as of February 6, 2022, Auburn School Department's McKinney-Vento liaison had identified **58 confirmed students eligible for McKinney-Vento services** and another 22 students that were yet to be confirmed eligible.

The McKinney-Vento Act under federal law ensures homeless youth have access to educational stability and offers resource assistance such as transportation to and from school.

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Chief Chase

"Our role as an EMS organization is not only to respond to medical emergencies, but to participate in the overall improvement of the health of our community. Substance use disorders and overdose deaths are quickly become the paramount public health issue. As an organization, and as a City, we need to find additional ways to address this growing public health crisis. This includes dedicating staff and resources with the specialized training needed to support those struggling with substance use disorders."

Robert Chase
Fire Chief, City of Auburn

2020 Operational Impacts: Auburn Fire Department High System Users

Operational Impacts of Auburn Fire Department High System Users

Address	Total Responses	Transports	Time in Hours Dedicated to Specific Patient*	Ambulance Mileage Incurred*	Notes
CASE 1	34	30	19.6	128	Repeat indication of ETOH use
CASE 2	29	28	14.2	103	Repeat Non-Emergent Complaints
CASE 3	29	27	17.5	95	Repeat Requests for Detox via EMS
CASE 4	20	20	12.3	76	Repeat Behavioral Health Requests
CASE 5	16	0	5.1	X	Repeat Requests for Lift Assists
CASE 6	16	10	5.3	41	Repeat Tox/Behavioral Health
Total Impact	**144**	**115**	**74**	**443**	

*Approximate Values

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2020 data provided by Chief Chase on 11/3/2021 to Jennifer Edwards

2020 AFD Runs by Provider Impression – CFS that may benefit from PSY

Situation Provider Primary Impression (eSituation.11)	Number of Runs	Percent of Total Runs
Adult - No findings or Complaints (Z00.00)	274	35.63%
Behavioral - Psychiatric Episode (R45.89)	131	17.04%
Behavioral - Anxiety (F41.1)	91	11.83%
Tox - Alcohol use - with intoxication (F10.92)	87	11.31%
Tox - Overdose/Drug Ingestion (Non Opioid) (itICD.047)	36	4.68%
Tox - Opioid use - with Coma (F11.92)	35	4.55%
Child - No findings or Complaints (Z00.129)	31	4.03%
Behavioral - Suicide attempt (T14.91)	28	3.64%
Tox - Alcohol use (F10.9)	19	2.47%
Tox - Alcohol Use - withdrawal (F10.239)	16	2.08%
Tox - Opioid use - without Coma (F11.9)	10	1.30%
Behavioral - Excited Delirium (R41.0)	4	0.52%
Tox - Cannabis use (F12.9)	3	0.39%
Tox - Psychoactive substance related disorders (F19)	1	0.13%
Tox - Psychoactive substance use (F19.9)	1	0.13%
Tox - Stimulant related disorder (F15)	1	0.13%
Tox - Tricyclic antidepressants Overdose (T43.014)	1	0.13%
	Total: 769	**Total: 100.00%**

Chief Moen

“Our substance abuse disorder rates are growing. APD is responding to more and more overdose incidents. Dedicated staff to address this growing epidemic is vital to the safety of our City.”

Jason D. Moen

Chief of Police, Auburn Police Department

APD Data

Year	POL-PCF Medical/Mental	Psychiatric Problem	Psychiatric Problem - Alpha Ov	Total
⊞ **2017**	**60**	**17**	**5**	**82**
⊞ **2018**	**485**	**132**	**20**	**637**
⊞ **2019**	**553**	**115**		**668**
⊞ **2020**	**474**	**141**		**615**
⊟ **2021**	**364**	**146**		**510**
January	28	14		**42**
February	22	11		**33**
March	38	15		**53**
April	26	13		**39**
May	38	7		**45**
June	38	18		**56**
July	37	16		**53**
August	43	12		**55**
September	38	17		**55**
October	55	23		**78**
November	1			**1**
Total	**1936**	**551**	**25**	**2512**

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APD OD Data: 2020-2021

In 2021, Auburn PD responded to 55 overdoses at 51 calls for service; there were 54 overdoses in 2020.

- Seven of these 55 overdoses are known to have resulted in a death.
- 28 doses of Narcan were administered directly by Auburn PD to 24 victims at 22 calls for service.

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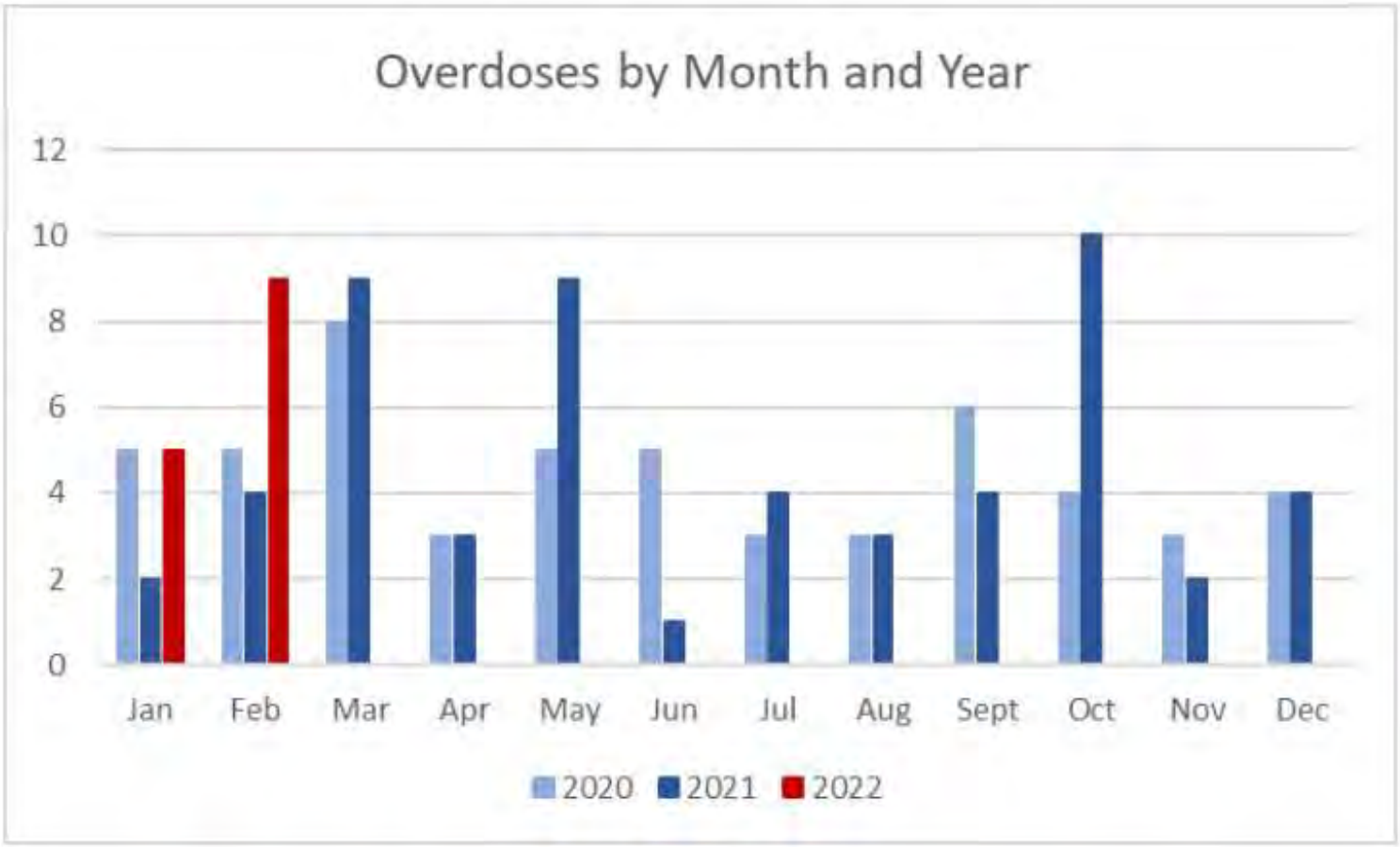
Feb. 2022 APD Data



Count of Overdoses, by month and year

Source: APD Overdose Report – February 2022, provided by Lt. Harrington of APD

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Currently…

- APD officers have been carrying Narcan since 2018
- APD's participation in Androscoggin County's Drug Take Back days dates back to 2010.
- The med drop box offers a safe place to drop off unused medications in the Auburn police department lobby, which can help prevent prescription drug misuse

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Homelessness Crisis Protocol

This program would also come at a critical time for APD, as they work to comply with the new Homelessness Crisis Protocol provided by the Attorney General to meet requirements of 17-A M.R.S. §18 [PL 2021, c. 393, §1].

Our officers regularly respond to calls from community members concerned about unhoused individuals in our community, living on the streets, tenting on private or public property, and looking for a place to stay warm during the cold winter months when the limited shelters available in Lewiston and Auburn are full.

Link to statue: Title 17-A, §18: Homelessness crisis protocol (mainelegislature.org)

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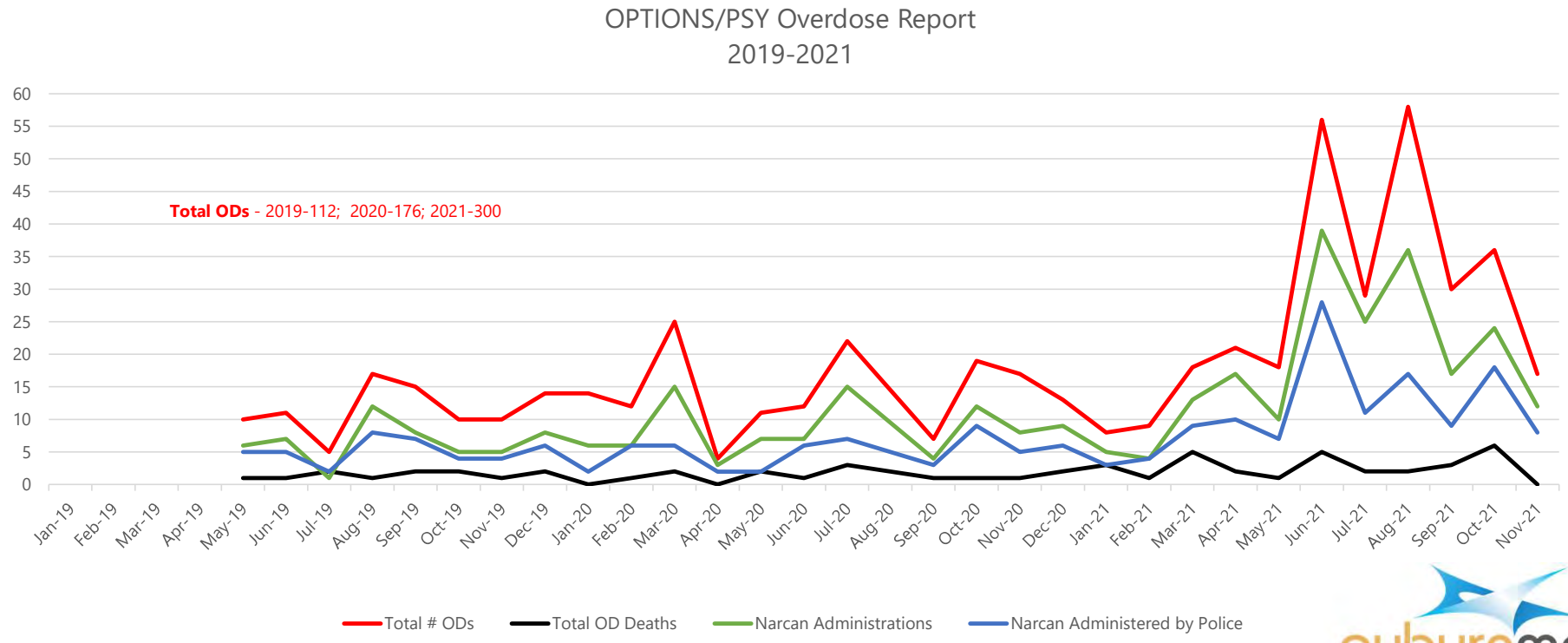
TCMHS Options/PSY Data



PSY success in Lewiston

Since 2018, the Lewiston Police Department has successfully employed this model – embedding mental health professionals from Tri-County Mental Health Services (TCMHS) within the police department to respond with and follow-up on needs in the community.

PSY-Auburn would be customized to meet the needs of Auburn, with a TCMHS PSY worker being shared between the Auburn Police Department and the Auburn Fire Department and working in close collaboration with the Public Health Manager. The PSY worker would remain an employee of TCMHS, and thus the program would also benefit from all the resources and programming of TCMHS.

Serving those who served…

According to SAMHSA's 2019 National Survey on Drug Use and Health in Veteran Adults:

- 3.9 Million (adult) Veterans had a mental illness and/or a substance use disorder (SUD), up 6.5% over 2018
- Of these, 2.3% (481K) struggled with both
- 1 in 4 struggled with illicit drug use
- 4 in 5 struggled with alcohol use
- 1 in 13 struggled with both
- Of those struggling with a mental illness, SAMHSA reported 1 in 4 had a severe mental illness.

Data Source: 2019 National Survey on Drug Use and Health: Veteran Adults. Published in September 2020 by the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, pg. 4. Accessed 3/11/2022: https://www.samhsa.gov/data/sites/default/files/reports/rpt31103/2019NSDUH-Veteran/Veterans%202019%20NSDUH.pdf

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Project Support You provides connection.

"Abby is pregnant, homeless, and using heroin daily. As a result of a call from a soup kitchen volunteer, TCMHS staff reach out to Abby to help connect her to medical care and emergency shelter housing. After repeated attempts to get her into residential treatment initially fails, TCMHS staff continue assertive contacts with her over ensuing weeks until Abby successfully agrees to detox treatment."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

Project Support You provides hope.

"Mary lived in a family that has experienced intergenerational trauma. She grew up in a home with an alcoholic father and began experimenting with substances in her early teens, leading to serious use as she moves through her teens into her 20s. Estranged from her family, Mary's substance misuse leads to repeated involvement with law enforcement, homelessness, and interactions with child protective services. In an effort to regain custody of her child, she enters a community program where she receives supports and job training. Despite her best efforts, exacerbated by the trauma experienced due to losing custody of her child, she relapses, becomes homeless again, and is arrested. TCMHS staff intervene to help her to access treatment, healthcare, job training, and housing. With their help, she restarts her path to recovery."

Success story provided in Catherine Ryder's support letter for PSY-Auburn.

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Treatment works, but it takes resources.

"It is vital to remember, always, that treatment works and recovery is possible. Just as we would not give up hope or fail to help someone with diabetes, cancer or heart disease, the same is true for those who live with mental illness or a substance use disorder. We can and must bring all resources available to bear, and create them when they are not, to help those in need. Every life is worth saving."

Catherine R. Ryder, LCPC, ACS
Chief Executive Officer, Tri-County Mental Health Services

Quote taken from Catherine Ryder's support letter for PSY-Auburn.

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Budget:

DESCRIPTION:	YEAR 1	YEAR 2	TOTAL
Tri-County Mental Health Services 1.4 FTE	98,000	98,000	196,000
Software, data analysis, and administrative support.	50,000	50,000	100,000
Misc. Program Supplies/Expenses	2,000	2,000	4,000
Total	150,000	150,000	300,000

The $98,000/year amount pays for a full-time position – including PTO and holidays. It provides some on-call for nights, weekends, and PTO time. It also pays for supervision, a laptop, encrypted phone, travel, and 20% overhead for Tri-County Mental Health Services.

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Position Description:
Co-Responder

Classification: Non-Exempt	**Grade Level:** Non-Exempt 7
Reports To: Chief Executive Officer or Manager	**Department:** Substance Use Disorder Services

GENERAL SUMMARY:

The Co-Responder provides OUD/SUD overdose response, screening, behavioral health crisis de-escalation, assessment, screening, referral to community treatment services and resources, system navigation, short-term SUD and behavioral health interventions, and aid in completion of the State's Medicaid program application for uninsured population, in collaboration with local law enforcement.

ESSENTIAL JOB FUNCTIONS:

- Demonstrates commitment to the mission of the agency with a strong understanding and respect for the goals of agency activities.
- Responds to SUD/OUD-related emergency calls along with law enforcement, or other first responder agencies, prioritizing nonfatal overdose calls and the highest needs requests for support, as able.
- Responds to behavioral and mental health related emergency calls along with law enforcement, or other first responder agencies, prioritizing competing demands through triage, when possible.
- Coordinates with a Recovery Coach, Peer, or Patient Navigator, as available, to provide post-overdose response and support to overdose survivors within seventy-two (72) hours after a non-fatal overdose event, to include: provision of information around Harm Reduction, treatment, and recovery support services that are available.
- Coordinates with community resources and client treatment team, as available, to provide post response and support. Provision of information around community resources, services, supports and other options for services that are available.
- Conducts ASAM level of care Assessments as appropriate.
- Gathers all Releases of Information as required by law to remain in compliance with HIPAA guidelines, including CFR 42 Part 2.
- Participates in technical assistance sessions which will be provided by the Maine Medical Association and informed by the Behavioral Health Response unit within the Portland Police Department.

ESSENTIAL JOB FUNCTIONS (continued):

- Provides anti-stigma and SUD informational sessions.
- Provides system navigation assistance to individuals in need of necessary support services.
- Provides referrals to appropriate community-based treatment and recovery services.
- Conducts follow up visits to clients who present in frequent need to establish, build and maintain relationship and rapport with a supportive, ongoing presence.
- Completes and sends in CradleME referrals for any pre-natal or post-partum women that presents as an individual in need.
- Provides linkage to syringe service programs and other Harm Reduction sites as available and facilitates connectivity to a Federally Qualified Health Center (FQHC) or other provider site that can provide human immunodeficiency virus (HIV) and Hepatitis testing.
- Provides Naloxone kits and Naloxone administration training in the specific type of Naloxone being provided to the individual and/or affected others during the post-overdose follow-up.
- Provides Fentanyl test strips, training and education to clients as prevention.
- Determines if the individual is a Person in Crisis and coordinates response with Crisis Intervention Workers.
- Works in collaboration with the law enforcement agencies in their catchment area to utilize Overdose Detection Mapping Application Program (ODMAP) and be signed up to receive overdose alerts for notification of incidents occurring during off-hours and provides follow-up with the individual in need during normal working hours.
- Provides linkage to further long-term Peer and/or Recovery Coach services for individuals in need that are assessed as having a SUD.
- Supports linkage to affordable housing and referral to programs that can support and assist people experiencing homelessness.

OTHER DUTIES AND RESPONSIBILITIES:

- Communicates effectively both verbally and in writing, establishes positive public relations and interacts effectively with a diverse array of professionals and clients.
- Maintains appropriate boundaries and displays respect and courtesy to all internal and external customers.
- Participates in training to maintain or enhance job skills, including undergoing law enforcement orientation and training, as necessary.
- Demonstrates patience, caring, compassion, and sensitivity toward clients.
- Completes and submits required documentation in a timely manner and according to policies and procedures.
- Adheres to the agency's Organizational Standards for Performance (see attached).
- Maintains compliance with documentation in medical record in a timely manner by completing all required documentation on time and filing additional documentation, as necessary
- Adheres to the agency's Risk and Safety Management Programs.
- Ensures that confidentiality is maintained at all times in accordance with federal, state, and agency standards.
- Functions in a cost-effective manner with regard to the utilization of time, supplies and other agency resources.
- Attends meetings and supervisions as required and necessary for the position.
- Promotes and fosters effective relations, both inside and outside of the agency.
- May perform other related duties as required.

ADDENDUM:

OPTIONS/Substance Use Co-Responder

- Funded by Maine Grant for Androscoggin county; primary role of overdose/substance use response.

ADDENDUM (continued):

Co-Responder

- Funded by the City of Lewiston; primary role of mental health support response.

Project Support You Co-Responder Lead Role

- Support, coach and mentor onboarding staff of the PSY and OPTIONS programs as well as the Peer Navigator role
- Provide resources, encourage networking, make introductions to key colleagues and clients of these programs.
- Support staff in documentation and reporting, checking to ensure accuracy and timeliness.
- Support mandatory training with PD, Agency, State and others as appropriate.
- Co-facilitate group supervision with management.

POSITION REQUIREMENTS:

Duties require knowledge of Substance Use Disorders and Dual Diagnosis treatment services equivalent to completion of a Bachelor's degree or equivalent combination of education and experience.

Must be willing and eligible to pursue and obtain minimum of CADC certification within first year of employment. Must possess a valid State of Maine driver's license.

COMPETENCIES:

Detail-oriented with good organizational and time management skills

Ability to manage multiple priorities and tasks, and consistently meet deadlines.

Ability to demonstrate good problem solving and critical thinking skills.

Ability to work effectively on a multi-disciplinary team.

Ability to assess situations for personal and client safety.

Ability to respond effectively in crisis situations.

Proficient with the use of a computer and job-specific software applications

WORKING CONDITIONS/PHYSICAL DEMANDS:

Normal office environment, not subject to extremes in temperature, noise, odors, etc.; may also be subjected to unpredictable environments with extremes in temperature, noise, odors, weather conditions, etc.

Regular use of computer keyboards, telephone and operating office machines, requiring eye-hand coordination and finger dexterity.

Must be willing to abide by policies and procedures of Police Department and follow directive of co-responding officer, wear flack jacket and put safety at forefront at all times.

WORKING CONDITIONS/PHYSICAL DEMANDS (continued):

Occasional lifting and carrying of supplies, files, documents, records, etc.

May be asked to operate a motor vehicle in all types of weather.

The above statements are intended to describe the general nature and level of work being performed by people assigned to do this job. The above is not intended to be an exhaustive list of all responsibilities and duties required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

***External and internal applicants, as well as position incumbents who become disabled as defined under the Americans With Disabilities Act, must be able to perform the essential job functions (as listed) either unaided or with the assistance of a reasonable accommodation to be determined by management on a case by case basis.**

_____ _____

Employee's Signature Date

_____

Employee's Name (*please print*)

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

TRI-COUNTY MENTAL HEALTH SERVICES

Organizational Standards of Performance

STANDARD #1: Organizational Perspective

All employees demonstrate an understanding of how individual job performance and continuous quality improvement advances the Tri-County Mental Health Services mission.

Expectation:

- Understanding the connection between the agency's mission, continuous quality improvement and personal performance.
- Demonstrating a philosophy and work ethic that are consistent with agency's vision, mission and guiding principles.
- Perform duties in accordance with applicable regulations, laws and agency policy and procedures.

STANDARD #2: Professional, Ethical and Respectful Behavior

All employees act in a manner that demonstrates a commitment to professional ethical and respectful behavior.

Expectation:

- Interactions are guided by Trauma Informed practices and principles and are respectful, professional.
- Kind and courteous behavior that promotes positive interactions and engagement.
- Engage in direct communication and problem solving.
- Criticizing the agency and/or other employees to others (i.e. the "rumor mill") is actively discouraged. Continuously making an effort to squelch rumors and other disrespectful behaviors.
- Confidential information, whether received in the course of work or received inappropriately, is not shared with others.
- All employees know and understand the code of ethics of their respective professions

STANDARD #3: Confidentiality

All employees act in a manner that demonstrates an understanding of confidentiality.

Expectation:

- All employees can identify and discuss the parameters of confidentiality
- Confidential information, whether received in the course of work or inadvertently, is not shared with others
- All employees share a responsibility for safeguarding confidential information

STANDARD #4: Teamwork

All employees participate in an environment where success is created by working together collaboratively.

Expectation:

- Building collaborative relationships, both internally and externally.
- Accepting and using constructive feedback from both peers and supervisors.
- Collaborating to improve services and processes, and solve problems.
- Sharing responsibility and accountability for team goals.

STANDARD #5: Skill and Ability

All employees take advantage of training and educational opportunities to enhance skills, productivity, and quality of work.

Expectation:

- Seeking assistance and support when necessary.
- Accepting guidance from supervisor and implements decisions made with supervisor.
- Actively seeking training opportunities, through supervision and other sources, to enhance ability to perform all aspects of position.

STANDARD #6: Knowledge of Community

All employees use knowledge of current community needs to work effectively with community groups.

Expectation:

- Building and maintaining positive relationships with the community.
- Articulating and explaining accurately the full range of agency services and resources.
- Presenting the agency to the community in a positive, proactive and appropriate manner.
- Uses client and community feedback to improve service delivery.

Created Jun-02; Last revised Sept-09; June 2014

ORDER 83-06062022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn allocates Three Hundred Thousand Dollars ($300,000) of ARPA Funding to create a two-year pilot program, “Project Support You – Auburn,” ensuring conformance with the ARPA Rules and Guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Ordinance:** 16-06062022
Author: Katherine Cook, Planning Coordinator
Subject: First reading of zone change request from Hammond Lumber, 278 Poland Road

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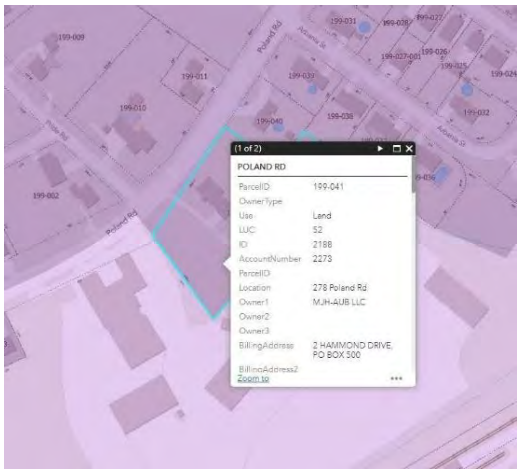


Information: Hammond Lumber Company (owner) is requesting a zone change of the 1.75 +/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel form Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, SEC.1445-1448.
The Planning Board reviewed this request brought forth by a petition with the information and the recommendations noted in the staff report.

The Planning Board reviewed this proposal, held a Public Hearing and recommended that City Council reject Hammond Lumber's requested zone change on 1.75 acres +/- at 278 Poland Rd (PID 199-041) from Suburban Residential (SR) zone to Industrial (ID) zoning noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is a requested for proposed parking. Their motion is included in the packet.

Their recommendation was based on discussion between the applicants, the Planning Board, and members of the public and specified in the May 10th Planning Board Meeting minutes and on the YouTube Recording for this meeting. The City Council tabled this item at the June 6, 2022 Meeting to be reconsidered at the July 18 meeting to allow the business to meet with neighbors and address concerns related to buffering and vehicles and any other neighborhood concerns. It is unusual to address buffering as part of a zone change and this is usually addressed during a later site plan review, however, the business met with staff and neighbors to better understand concerns (meeting minutes attached). The business provided an improved buffering plan that they are committed to implementing as part of site plan review if they are allowed to move forward. Staff and the Planning Board can make buffering and road frontage improvements a requirement as part of that process if the zoning moves forward.

UPDATE: As requested by Council Hammond Lumber has provided the attached revised zoning boundary plan with buffering information. The proposed boundary reduces the area that would be changed to industrial as suggested by Council at first reading. Hammond Lumber has also committed to addressing buffering at the rear of the property where they abut residential neighbors as part of a site plan review process for the project that will go to Planning Board and have an additional public process.

City Budgetary Impacts: None.

Staff Recommended Action: Hold the first reading and hold a public hearing for the zone change at 278 Poland Road, Parcel I.D. 199-041 from Suburban Residential (SR) District to Industrial (ID) District. Vote on First reading.

Previous Meetings and History: May 10th 2022 Planning Board, June 6th CC meeting, Neighborhood meeting, June 30, 2022, Council first reading on July 18, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Planning Board Memo, May 10th, 2022, Hammond Lumber Staff Report, May 10th, Application from Hammond Lumber, Hammond Lumber site plan, Buffer Plan, public site walk through minutes, public meetings sign in sheet.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov | 207.333.6601

Proposal from the May 10th Planning Board staff report now before council:

Proposal: Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SB zoning. Approval for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.

Suggested Motion:

On May 10th, 2022, the City of Auburn Planning Board made the following recommendations:

"I move to recommend that City Council not rezone the property as it would be an encroachment of industrial area into residential neighborhoods."

(Motion from Mathieu Duvall, Second from Stacey LeBlanc)

Motion to NOT rezone the area to ID passes 5-2.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

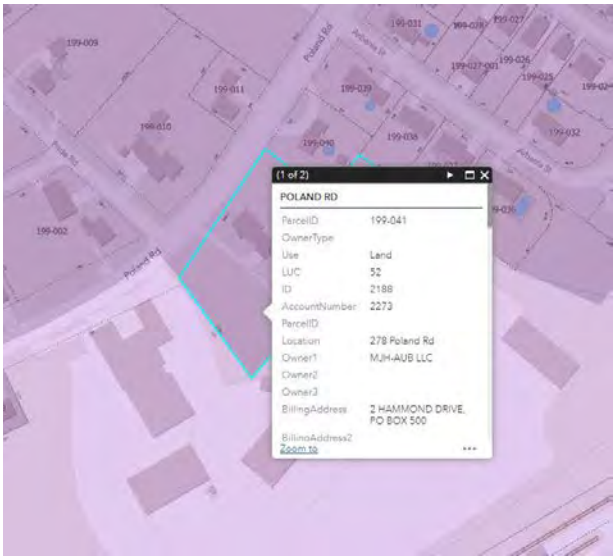
To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Zone Change Request for Hammond Lumber, 278 Poland Road

Date: May 10, 2022

PROPOSAL #1: **PETITION/ ZONE CHANGE REQUEST:** Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.



Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or **by a petition signed by not less than 25 registered voters of the city.** (Ord. of 9-21-2009, § 8.1A) This change was initiated by petition.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan (FLUP) as part of the 2021 Comprehensive Plan update process has this area has a suggested zone as Suburban Residential but given the immediate proximity of ID on two sides and long-standing lumber companies ownership (61+/- years) in the immediate area this would be an enhancement to the growing lumber and construction industry in the community. Access to building materials in the community is a major asset to meeting economic and housing goals of the Comprehensive Plan.

The FLUP is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development *(Ref. City of Auburn Comprehensive Plan, Chapter 2, pg. 87)*

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a recommendation to City Council to amend zoning map amendment to PID: 199-041 from Suburban Residential to Industrial to support a business in an otherwise commercially zoned neighborhood. Although review of a site plan will be required later it is worth noting that site impacts will be addressed in that process, including:

1.) The owner will address curb cut reductions if a site plan review submission is requested for proposed parking areas.
2.) The owner would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

II. SUGGESTED FINDINGS AND REASONS:

1. The applicant submitted a rezoning petition with required signatures, City Zoning maps with Parcels identified, 500' abutters list, and plans which met the standards and the required materials to make the Zone change on April 8, 2022 thus meeting the time frame and submission standards (Sec. 60-1446).
2. The property in question is owned by Hammond Lumber and abuts its property already in the ID zoning district on two sides. Approximately the second half of the parcel abuts the suburban residential zone. The change would not affect the character of the neighborhood and would not impede public health, safety, convenience, and welfare (Sec. 60-1447).
3. The proposal can be implemented without detriment to city resources.
4. The proposal meets the general future land use plan pattern of development and is consistent with the current comprehensive plan.

III. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

Suggested Motion: I make a motion to recommend that the City Council approve Hammond Lumber's requested Zone change on 1.75 acres +/- at 278 Poland Road (PID 199-041) from Suburban Residential (SR) Zone to Industrial (ID) Zone noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

SEBAGO TECHNICS

CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

City of Auburn
Zone Change Request

For:

Hammond Lumber

282 Poland Road
Auburn, Maine 04210

Applicant:
Hammond Lumber Company
282 Poland Road,
Auburn, ME 04210

Prepared by:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

April 2022

April 08, 2022

City of Auburn
Planning Board
60 Court Street
Auburn, Maine 04210

Zone Change Request
278 Poland Road, Auburn ME 04210

Dear Planning Staff,

On behalf of Hammond Lumber Company, we are pleased to submit the following documentation for a zone change request to the City of Auburn. The requested zone change is for an approximately 1.75-acre parcel located at 278 Poland Road and identified by the City of Auburn as lot 199-041., and is within the City's Suburban Residential (SR) Zone and borders Auburn's Industrial (ID) Zone. The property was previously developed for residential use and consisted of a single-family house and barn. Hammond Lumber purchased the land, and in 2019, the buildings on the parcel were demolished and removed from the property. Hammond Lumber is now requesting the zone change of this property from the SR Zone to the ID Zone to allow the expansion of their development onto this parcel.

The subject parcel is located along the frontage of the Hammond Lumber site on Poland Road and abuts the entire front face of Hammond's primary and largest warehouse building. Adjacent residential development is located north across Poland Road and downhill to the east. There is an existing tree line along the eastern boundary of the property that extends from Poland Road to the rear of the Hammond Lumber development. The remaining area of the parcel is open lawn that is surrounded on three sides by Poland Road and Hammond Lumber's access drive and buildings.

With the aforementioned factors in mind, a zone change of lot 199-041 from Suburban Residential to Industrial will not pose any adverse effects to the Poland Road community or to the city as a whole A zone change will allow Hammond Lumber to utilize this area to its full potential by incorporating it into their existing development. The additional frontage will give Hammond Lumber the ability to create a more visually pleasing entrance along Poland Road that better matches the other industrial and commercial properties in the area. To assist with your review of this request, we have included the proposed design for how Hammond Lumber intends to utilize this site if the zone change is approved.

We hope the attached application and materials we have provided are sufficient information for the City of Auburn to allow Hammond Lumber Company's zone change request. The goal of Hammond Lumber Company is to obtain the zone change first, and then proceed with an application to the City of Auburn for improvements to the front façade of the existing retail building, a new parking lot with associated stormwater treatment, and much needed improvements to the frontage along Poland Road. Should you have any questions, or need additional information, please call James Seymour, PE at Sebago Technics, Inc. at 207-200-2083.

Sincerely,

SEBAGO TECHNICS, INC.

James R. Seymour, P.E.
Sr. Project Manager

Materials Enclosed:

- Rezoning Petition & Signatures
- City Zoning Maps with Subject Parcel Identified
- 500' Abutters List
- Full Size Plans
    - Existing Conditions Plan
    - Preliminary Site Plan

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Suburban Residential (SR) zoning portion of the zoning map on (PID 199-041) to allow for a zone change of SR to ID to support Industrial opportunities in an otherwise residential zoned neighborhood along Poland Road. The property has been owned by Hammond Lumber for a number of years. As the ID district is the adjacent use the current owner would like to have the zoning match their existing/adjacent property as they will be absorbing the property into their larger existing parcel. The abutting lot in common is currently zoned Industrial Development and is owned in common by Hammond Lumber Company entity. The home on the parcel located in the SR was demolished in 2019 and today it is an empty parcel. As the City is currently undergoing a zoning reorganization, this is a great time to include this adjacent parcel (PID 199-041) as part of the ID zone to match existing zone of the current owner (Hammond Lumber)

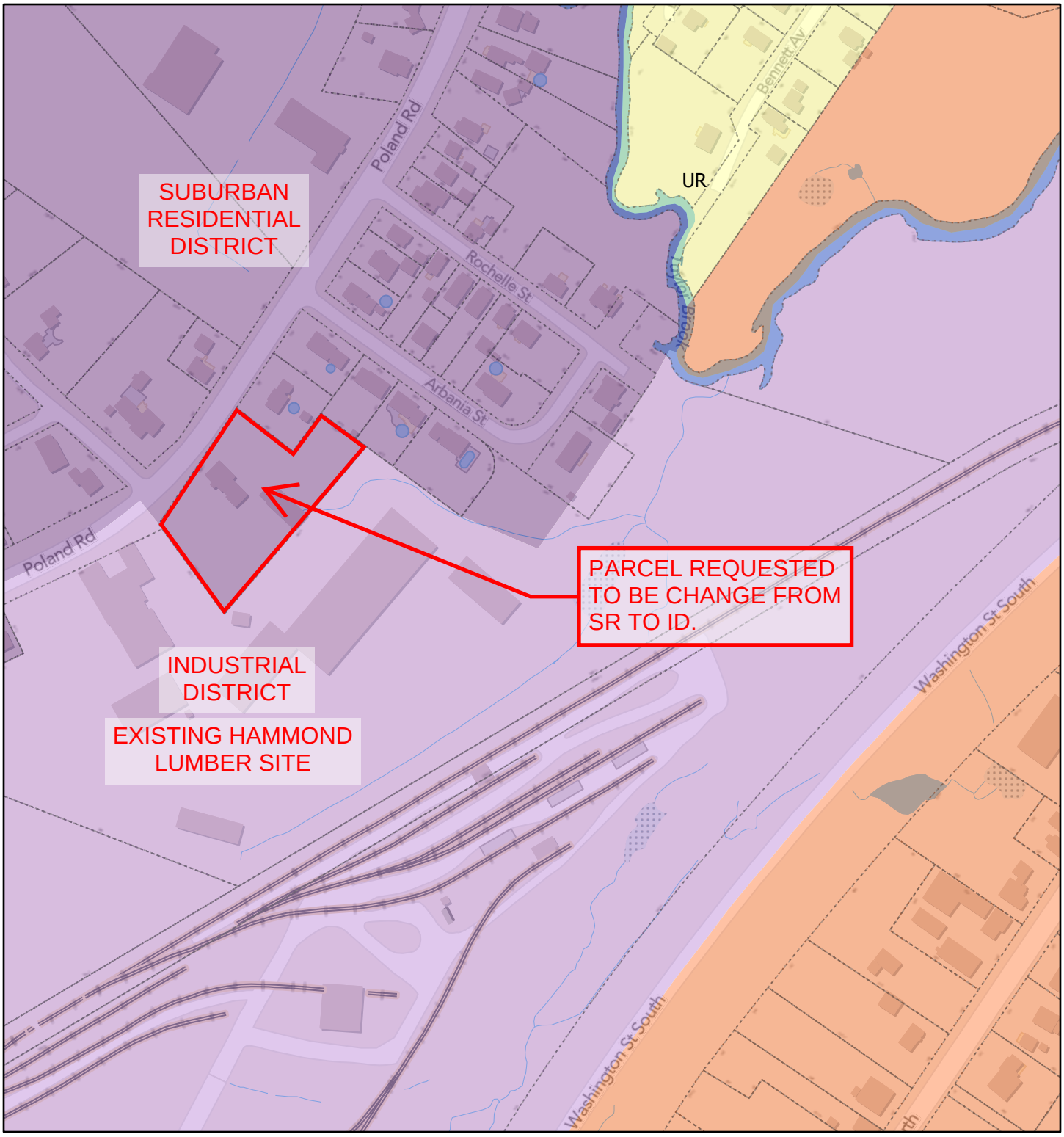
One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as Industrial. The lot is outside the floodplain.

Print Name	City of Auburn Legal Address	Signature
Pamela J Haskell-Drumm	387 Court St Apt 2	
Timothy J. McDonough	211 Fairway Dr	
David E Schenk II	37 norther avenue Heights Apt 25	
Brett Hackett	155 Fletcher Rd	
Kevin Hackett	155 Fletcher Rd.	
MICHAEL BARRETT	1067 HOTEL RD	
JIM TIMBERLAKE	75 VBRIARCLIFF	
Joe Delong	1480 Pownal Rd	
Patrick warden	100 vickery Rd	
ROBERT TURGEON	67 MAPLE PT AUB	
Fredrick D. McCann	64 W. Ham Rd	
Susanne Macomber	45 Jefferson St	
Brooke Peters	120 Madison St	
Dolores Pulk	78 Madison St. Aub	
Jerome Smith	10 fairview ct. Aub	
Chris Hobbell	117 Beech Ave Aub	
Michael Lemay	50 Broadview Ave	
Gary LaPrell	45 Arbania St.	
Michael Turgeon	38 Zoar street	
David Lepage	14 Holly St	
Zachery Bisbee	37 Third St Auburn ME	
Cody MCAllister	60 Mountain View Drive Aub	

Peter Fordham	747 minot Ave	Peter Fordham
RONALD GAGNE	230 HOTEL RD	Ronald Gagne
John Coutts	37 Broadview AVE	John A. Coutts
Nicholas Nolan	1889 Riverside Drive	Nicholas Nolan
PBA Inc	174 WYMAN RD	PAUL A. TARDIF
JOS JONES	861 PEACH HILL RD	
Daniel R Herrick	470 Hatch Rd	Daniel R Herrick

Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

ID zone and SR zoning Map



3/9/2022, 9:53:19 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

2020 Parcels

Zoning

GB - General Business

ID - Industrial

SR - Suburban Residential

UR - Urban Residential

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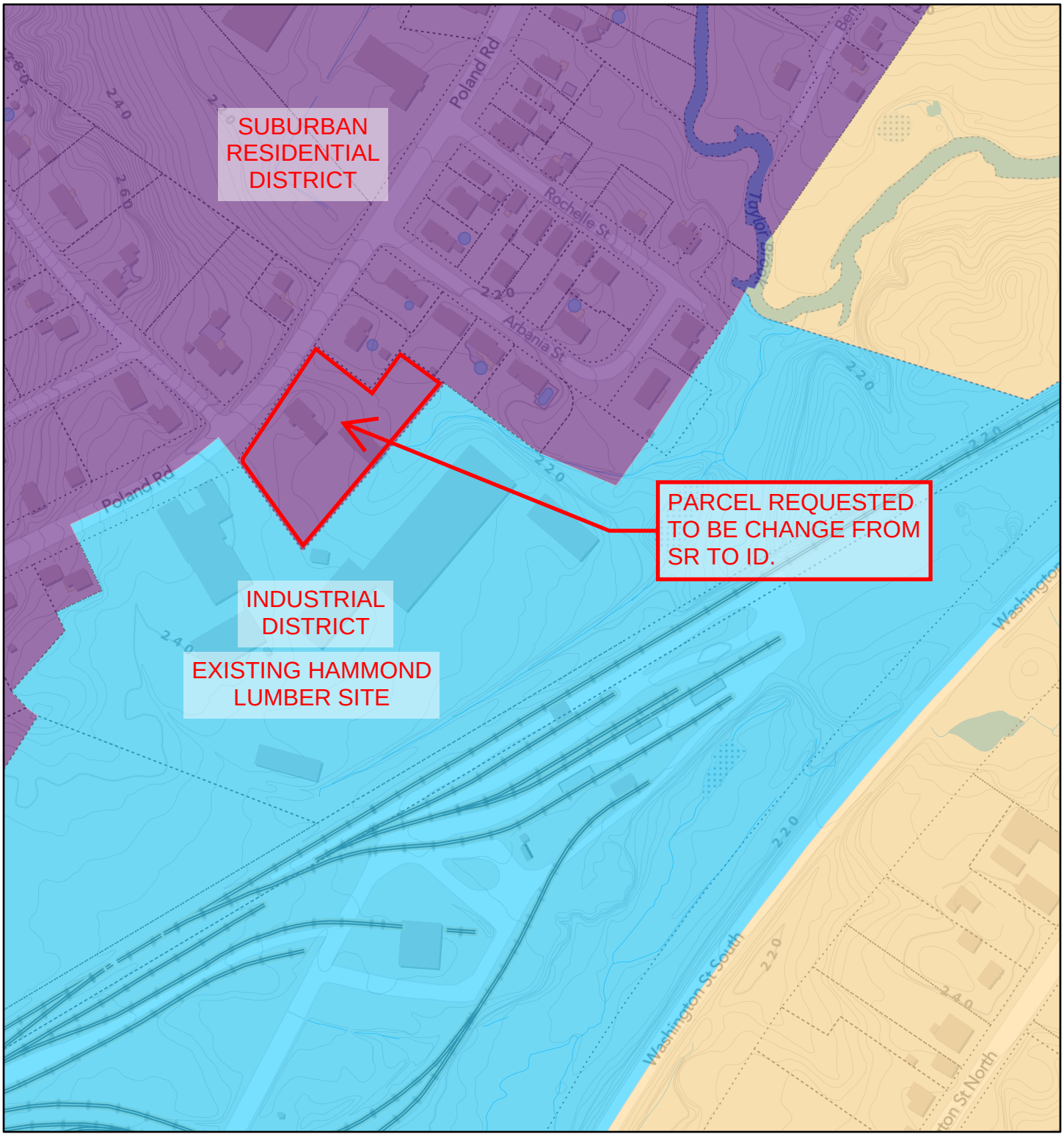
Web AppBuilder for ArcGIS

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

Zoning map of SR and ID Zones



3/9/2022, 9:51:03 AM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Future Land Use _ 2021 Update

- Traditional Neighborhood Development District
- Industrial Development District
- Commercial Form-Based Code Gateway Development District (Washington Street)

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

City of Auburn
The City of Auburn makes no warranty, representation, or guaranty as to the sequence, accuracy, timeliness, or completeness of any of the information provided. The reader should not rely on the

199-039
NYBERG MICHAEL R, NYBERG ANN E,
3 ARBANIA ST
AUBURN, ME 04210

199-023
SANDS GREGORY J, SANDS PATRICK J,
WHITING BRENDA M
C/O 408 BRIGHTON HILL ROAD
MINOT, ME 04258

199-002
MANCHESTER KATIE, MANCHESTER CATHLEEN,
148 SPILLER ROAD
RAYMOND, ME 04071

199-004
WILLIAMS PHILIP J, WILLIAMS PAMELA J,
175 PRIDE ROAD
AUBURN, ME 04210

199-013
BECKET ACADEMY INC,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-021
GAGNON MONIQUE M, HINKLEY BRETT M,
12 ROCHELLE STREET
AUBURN, ME 04210

199-010
ALLEN TIMOTHY J,
PO BOX 1613
AUBURN, ME 04211

199-028
COYNE JULIE B,
9 ROCHELLE ST
AUBURN, ME 04210

199-046
LEWISTON AUBURN RAILROAD COMPA,
C/O JERRY BERUBE
415 LISBON ST
LEWISTON, ME 04240

199-003
LANDRY PATSY ANN, LANDRY JOHN A,
25 CARLTON ST
AUBURN, ME 04210

199-044
CLIFFORD MARGARITA, C/O PAULA BOLDUC,
279 PLEASANT ST
MECHANIC FALLS, ME 04256

199-030
LANE CAROL, LANE ROBERTA,
240 POLAND RD
AUBURN, ME 04210

199-034
LAPRELL GARY, LAPRELL TINA,
45 ARBANIA STREET
AUBURN, ME 04210

199-024
KEOUGH FRANCIS K, KEOUGH ANN M,
23 ROCHELLE STREET
AUBURN, ME 04210

199-033
BEAN TREVOR A, ,
27 ROCHELLE STREET
AUBURN, ME 04210

199-026
BILODEAU JUDY ANN, ,
17 ROCHELLE ST
AUBURN, ME 04210

199-020
GROETZINGER ALYSSA N, ,
228 POLAND ROAD
AUBURN, ME 04210

199-040
LAWRENCE SUZANNE M, ,
266 POLAND ROAD
AUBURN, ME 04210

198-090
CALLANAN EZEKIEL L, CALLANAN NICHOLAS J,
339 POLAND ROAD
AUBURN, ME 04210

199-005
ROMANO GEORGE F JR, PAITON-ROMANO SHARON A,
169 PRIDE RD
AUBURN, ME 04240

199-038
DERIENZO JOSEPH P, DERIENZO JESSICA,
11 ARBANIA ST
AUBURN, ME 04210

199-027-001
PULSIFER JACOB, ,
14 ARBANIA STREET
AUBURN, ME 04210

199-025
HOGAN JAN M, ,
21 ROCHELLE ST
AUBURN, ME 04210

199-037
GORDON DAWN M, GORDON LARRY L,
17 ARBANIA STREET
AUBURN, ME 04210

199-008
DIXON CHARLENE M, ,
160 PRIDE ROAD
AUBURN, ME 04210

199-042
MJH AUB LLC, ,
PO BOX 500
BELGRADE, ME 04917

199-022
MURPHY JOHN F HOMES INC, ,
800 CENTER ST
AUBURN, ME 04210

198-084
LANDRY JOHN A, LANDRY PATSY A,
31 CARLTON ST
AUBURN, ME 04210

199-001
SNELL DOUGLAS E, ,
321 POLAND ROAD
AUBURN, ME 04210

199-011
TEVES JAMIE BLUE, TEVES CAROLINE ALEXANDRA,
269 POLAND RD
AUBURN, ME 04210

198-098
INDUSTRIAL CONNECTIONS AND SOL, ,
305 Gregson Drive
Cary, NC 27511

199-031
VACHON DANIEL, ,
4 ARBANIA STREET
AUBURN, ME 04210

199-043
ST PIERRE JEFFREY A, ST PIERRE ASHLEY L,
328 POLAND RD
AUBURN, ME 04210

199-041
MJH-AUB LLC, ,
2 HAMMOND DRIVE, PO BOX 500
BELGRADE, ME 04917

199-019
LAUSIER ELMER A, LAUSIER KIMBERLY,
226 POLAND ROAD
AUBURN, ME 04210

199-036
RUSSELL JAY H, RUSSELL TINA M,
27 ARBANIA ST
AUBURN, ME 04210

199-029
MOGAVERO STEPHEN, ,
236 POLAND RD
AUBURN, ME 04210

199-012
BECKET ACADEMY INC, ,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-009
PACKARD TAMMY, ,
174 PRIDE RD
AUBURN, ME 04210

199-032
LANE CAROL F, LANE ROBERTA C,
30 ARBANIA ST
AUBURN, ME 04210

199-027
CEPRANO PETER, CEPRANO DEBRA,
120 BIRCH LANE
WALES, ME 04280

PROVIDE SCREEN PLANTING AND FENCING ALONG THE EDGE OF THE PROPERTY AND TOP OF BERM

REDUCE PARKING SIZE AND MOVE 20FT OFF OF THE PROPOSED ZONE LINE.

HAMMOND LUMBER SHALL ALSO LOOK TO PROVIDE ADDITIONAL SCREENING FOR AREAS OF ARBANIA STREET IN THE REAR OF THE SITE THAT HAVE BEEN REFERENCE BY THE PUBLIC IN PREVIOUS NEIGHBORHOOD MEETING

PROPOSED ZONING DISTRICT BOUNDARY

EXISTING ZONING DISTRICT BOUNDARY

Suburban Residence District

20'-0"

MAGNETIC 1989

CMP, NET & T EASEMENT

MAINTENANCE BUILDING

SALES OFFICE

WAREHOUSE BUILDING

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 INCH = 20 FT.

PLS OR PE

PROGRESS PRINT

PLS OR PE

NOT FOR CONSTRUCTION

REV	BY	DATE	STATUS
A	HAH	05/02/2022	PRELIMINARY SITE PLAN SET TO CLIENT

THIS PLAN SHALL NOT BE USED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, CHANGES OR REUSE OF THIS PLAN AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

GRADING & UTILITY PLAN
OF:
HAMMOND LUMBER - AUBURN
282 POLAND ROAD
AUBURN, MAINE
FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361

SHEET 5 OF12

06361 GU.dwg - TAB:GU

PROVIDE SCREEN PLANTING AND FENCING ALONG THE EDGE OF THE PROPERTY AND TOP OF BERM

REDUCE PARKING SIZE AND MOVE 20FT OFF OF THE PROPOSED ZONE LINE.

HAMMOND LUMBER SHALL ALSO LOOK TO PROVIDE ADDITIONAL SCREENING FOR AREAS OF ARBANIA STREET IN THE REAR OF THE SITE THAT HAVE BEEN REFERENCE BY THE PUBLIC IN PREVIOUS NEIGHBORHOOD MEETING

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EXISTING ZONING DISTRICT BOUNDARY

Suburban Residence District

20'-0"

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CMP, NET & T EASEMENT

MAINTENANCE BUILDING

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WAREHOUSE BUILDING

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 INCH = 20 FT.

PLS OR PE

PROGRESS PRINT

PLS OR PE

NOT FOR CONSTRUCTION

REV	BY	DATE	STATUS
A	HAH	05/02/2022	PRELIMINARY SITE PLAN SET TO CLIENT

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WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
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South Portland, ME 04106
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GRADING & UTILITY PLAN
OF:
HAMMOND LUMBER - AUBURN
282 POLAND ROAD
AUBURN, MAINE
FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361

SHEET 5 OF12

06361 GU.dwg - TAB:GU

Hammond Lumber Public Site Walk
June 30th, 2022
Zone Change Application

Meeting Minutes:

5:00 PM **Begin Site Walk**

Attendees gathered at the front of the site. A sign-in sheet passed around for attendees to write their name and address.

5:05 PM A formal introduction and project overview was given by Jim Seymour of Sebago Technics, Inc. Following the introduction, the floor was opened to questions from the public.

5:07 PM **Begin Open Discussion:**

Member of public asked: What time will truck operations/employees start in the morning?

Steve Pray of Hammond Lumber responded:

- Approximately 5-6 employees start 6AM
- Truck drivers arrive 6:30AM
- Try to end work day by 5:00PM, usually open no later than 6:00PM
- Block/close Poland Road entrance after hours
- Signs to prevent overnight parking in front of the site are currently being made and will be installed once ready

Member of the public (17 Arbania St.) asked: What is the impact to the trees (pointed to rear of site)?

- Clarified that the proposed zone change and proposed work in front of site would not impact trees in rear of site.
- Proposed work will explore new buffering in front of site if it proceeds to site plan review process.

5:10 PM Member of the public raised concern about truck access improvements and trucks blocking Poland Road

- Site plan will allow separation of trucks and commuter vehicles to improve access

Member of the public asked: Will the new entrance be blocked after hours?

- Yes, entrance will be blocked by a gate after hours

Member of the public asked: What percent of business is retail?

- Approximately 30% retail, 70% contractor

Member of the public asked: What will new parking be for?

- New parking will be for customers and employees to allow segregation of commuter vehicles and loading/trucking operations to improve safety and functionality.

Member of public asked about plantings/buffering on opposite side of the site on Poland Road

- Comment acknowledged, not related to zone change or proposed improvements but can be explored

5:15 PM Member of public asked about snow storage, and raised concerns of basements flooding since trees by Poland Road were cleared.

- Jim Seymour of Sebago Technics explained snow storage and the proposed soil filter BMP for stormwater treatment/control.
- New runoff will be controlled on site by BMP and additional plantings for buffering will be installed where previous trees were cut.

Member of the public asked about buffering

- A combination of trees and fencing can be explored in any areas requiring buffering

Members of the public raised concerns of deer in the area and concerns of deer getting trapped/dying in the soil filter (BMP)

- Clarified that the soil filter will be dry (typically dry 24 hours after storm)
- Soil filter only 3 feet deep and new plantings can be installed for buffering and to provide more cover for deer than what currently exists

5:20 PM Member of the public asked about redoing the front façade of the warehouse

- Old warehouse buildings are difficult to refinish but the applicant is exploring façade and entrance options to improve overall appearance of site

Member of the public raised concern about lighting

- Lighting will meet ordinance requirements and any requirements as requested by planning board (photometric plans typical for site plans) if the zone change is approved

5:25 PM Member of the public asked: How will you keep people from living in the parking lot?

Steve Pray responded:

- Entrances will be closed after hours
- There will be no access to the site after hours
- It is private property and anyone refusing to leave will have police called on them and be charged with trespassing

Member of the public asked about tax changes resulting from the zone change

Eric Cousens representing the City of Auburn responded:

- Taxes typically more in Industrial Zone vs. Residential Zones

Member of the public asked why parking is so far away and so large?

- Sidewalk will be located along front of parking lot, employees will occupy spaces furthest away
- Large parking lot required for capacity of all employees and customers
- Desire to remove parking in lay down areas behind warehouse for improved flow and safety
- Nothing is finalized, site plan review process still required if zone change is approved

5:30 PM Member of the public expressed desire for tree buffering to be added first.

- Comment acknowledged, can be explored if zone change is approved

Member of the public asked how Hammond Lumber can be trusted to plant buffers

- Any required buffering will be installed in accordance with the applicable approvals

- Will be enforced by the city under the site plan approval process if zone change is approved and project is allowed to move forward

Member of the public asked for overview of Zone change and site plan process

- Eric Cousens provided overview of zone change process and site plan application process

5:35 PM Member of the public asked what happened to imaginary road going through the site and what happens to ownership?

- Potentially a paper street and never built
- Meeting attendee with knowledge of land history (Tim Allen, family owned previously all land of Arbania Street subdivision) clarified there was a trolley easement which may have been what was seen. Mentioned sewer easement also possible. Mentioned if there were any roads they may have been proposed, and do not exist, therefor not applicable.

Member of the public asked if city council takes into account their comments/input

- Yes, meeting minutes will be provided with notes of tonight's meeting

Member of the public commented they are worried the City will mess up again and referenced Auburn Concrete site and summarized disapproval of their operation. Gravel falling in Poland Road from trucks and loud operations.

- Comment acknowledged

5:40 PM Member of the public asked: Where will people park after hours when gates are closed? (to view streetside or internal displays)

- Customers typically don't stop by after hours, and Hammond Lumber doesn't anticipate many customers coming to view any new potential staging/displays after hours

Member asked about hours and why not open on weekends

- Minimal locations open on Saturdays, closed on weekends for general employee health/longevity/happiness

Member of the public asked if the zone change will be very beneficial to Hammond Lumber and/or increase sales

- It will allow for a more attractive site, safer circulation and access through the site, and better functioning overall.
- Unknown change in sales, potential for more retail attraction

5:45 PM Member of the public expressed concerns that Hammond Lumber has made slow changes over last 30 years and won't stop.

- Comment acknowledged, changes necessary for business expansion/improvements
- Willing to accept input and suggestions to be good neighbor

Member of the public said the "no overnight parking" rule can't be enforced in the industrial zone.

- No parking signs are being made for the front of the site to prevent overnight parking
- Can explore working with polices department to enforce no parking on Poland Road

5:50 PM Member of the public asked: Was there a specific intent when Hammond Lumber purchase the residential lot?

- No specific plan at time of purchase
- Land is directly in front of Hammond Lumber and opportunity presented itself to acquire the property (first refusal)

Member of the public asked: What is the timeline for this process? What happens if zone change is denied?

- Final approval/disapproval of zone change anticipated in August
- Full site plan review process will begin if zone change approved
- If no approval of zone change then no moving forward with current site plan concept

Member of the public asked if there will be improvements to buffering in rear of site

- The current focus is on the front of the property and the zone change
- If allowed to move forward with site plan process city can enforce new buffering standards
- Hammond Lumber is willing to explore additional buffering in rear of site (both fencing and landscaping). Additional buffering could

potentially be provided if stripping/cut from proposed front parking lot were to be placed in rear by existing detention pond

5:55 PM Member of the public expressed desire for Hammond Lumber to be overall better neighbor

- Comment acknowledged

Member of the public asked when city council will look at this

- Next meeting where city council will review this zone change request is July 18th

6:00 PM: **Meeting Concluded**

MEETING SIGN-IN

06361

Hammond Lumber Public Site Walk

Date/Time of Meeting: June 30, 2022, 5:00 PM

Location: 290 Poland Road Auburn, ME 04210

Developer / consultants team members in Attendance	
Name	**Address**
1. James Seymour P.E.	75 John Roberts rd. South Portland
2.. Steve Pray	290 Poland Road Auburn 04210
3.	
4.	
5.	
6.	
Members of the Public in Attendance	
1.. Kerry Fontaine	135 Hackmatack Rd Auburn
2. Suzanne Lawrence	266 Poland Rd.
3. Eric Cousens	City of Auburn 60 Court St.
4. Mike Nyberg	5 Arbanie St
5. Caroline Teves	269 Poland Rd.
6. DOUG SNELL	321 Poland Rd
7. Dawn Gordon + 1	17 Arbanie St
8. Timothy Allen	194 Pt. L. Rd.
9.	
10	
11.	
12.	
13.	
14	
15.	

ORDINANCE 16-06062022

City Council Ordinance

IN CITY COUNCIL

Amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041)

Be it ordained, That the Auburn City Council approve the amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041) as shown on the attached plan from Sebago Technics included in this packet(attached).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Ordinance:** 18-07182022

Author: Eric J Cousens, Planning and Permitting Director

Subject: Public Safety, Detention, and Correctional Facility Moratorium

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Information: The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

A moratorium was adopted on March 7, 2022 on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist, however staff has not been able to fully address this and is proposing the city council extends the moratorium, for another six months as allowed by State law.

City Budgetary Impacts: None

Staff Recommended Action: Passage of second reading, extending the moratorium for another six months.

Previous Meetings and History: Public hearing and first reading held 7/18/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Proposed Moratorium

ORDINANCE 18-07182022

City Council Ordinance

CITY OF AUBURN

EXTENDING THE PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE

Be it Ordained, that the City Council hereby extends the six-month moratorium below that was adopted on March 7, 2022 for another six months.

THE CITY OF AUBURN adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

WHEREAS, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

WHEREAS, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

WHEREAS, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

WHEREAS, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

WHEREAS, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

Richard Whiting, Ward One
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Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Ordinance

WHEREAS, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safely Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

WHEREAS, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

WHEREAS, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health. land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the

Richard Whiting, Ward One
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City Council Ordinance

construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

BE IT FURTHER ORDAINED, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 3. Definitions.

Correctional Facility means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

City means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Detention Facility means a facility in which persons are held and housed in custody under

City Council Ordinance

process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

Public Safety Facility means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

Section 4. Effective Date; Emergency Declaration

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

Adopted on March 7, 2022

Extended by 6 months on: Date

City of Auburn
City Council Information Sheet

Council Public Hearing: August 1, 2022 **Ordinance:** 19-07182022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: First Reading: Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

I. **Information**: The comprehensive plan update adopted on December 6, 2021, identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended by Planning Board on June 21 and amended by City Council on June 27, 2022: *Residential uses should be allowed at a density driven by the form, lot size and configuration of the lot with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*

II.

1.) All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2.) Residential Facilities allowed with special exception approval from the Planning Board.
3.) Lodging allowed with special exception approval from the Planning Board.
4.) Personal Services allowed with special exception approval from the Planning Board.
5.) Age restricted retail not allowed.
6.) Restaurants with over 30 seats not allowed.
7.) Government offices allowed with special exception approval from the Planning Board.
8.) Parking requirements (public or private) may be provided within 500 feet of the establishment for all FBC.
9.) Office, Service and Retail Use limited to 1,500 SF footprint and must include a residential unit, no drive through businesses allowed.
10.) Multifamily allowed with special exception approval from Planning Board.
11.) Artist studios and performing arts centers allowed with special exception
12.) No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.

The Planning Board and Council considered an adoption of a new Form Based Code T-4.2B. Staff recommends creating this new zoning district that better fits the area and incorporates a text component of new zone T-4.2B as recommended by the Council and Planning Board. Council amended Planning Board's recommendation to change the front setback requirements from a minimum of 5 to a maximum of

15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more. Council instead decided to adopt similar front setback requirements to the General Business (GB) zoning district (#12 above). A draft of the codification based on Planning Board and Council input and the findings of staff report to Planning Board are attached.

Staff Recommended Action: Consider passage of second reading

Previous Meetings and History: January 3rd Council Discussion Initiation, March 21,2022 Council First Reading and February 8th and March 8, 2022, Planning Board, June 21st Planning Board Meeting, June 27th City Council Meeting, public hearing and passage of first reading on 7/18/2022.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Board recommendation as amended on June 21st, Ordinance, Staff Memo of City Council comments from June 27, 2022, Division 14, Form Based Code excerpt with proposed T-4.2B changes.

City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

DRAFT FOR REVIEW AND FINALIZTION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022, the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

"I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception"

Motion: Evan Cyr; Second: Riley Bergeron

"I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more."

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

---

Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval."

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: **PUBLIC HEARING: Zoning Map Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**

City of Auburn, Maine
Office of Planning and Permitting
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board from City Council
From: John Blais, Deputy Director of Planning & Permitting
Re: City Council update to T-4.2B
Date: June 28, 2022

The Council acknowledged that the PB did what they asked and they appreciate the recommendation. Council also discussed a couple of considerations or tweaks to the language that they will consider on July 18th.

1. Apply marijuana buffer map over zoning to see if there is any concern with areas available for MJ business being mixed in with another retail store at less than 50% floor area to avoid being an age restricted business under the existing definition. Special exception for any retail business could address the concern if PB reviews them, which is required, but they want the information to consider.

2. Setback Maximum. 25% may create anomalies. Consider GB language that averages adjacent setbacks for conformity with existing patterns: *No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet*.

3. Give map examples of lots over 100 feet deep. Generally, characterize where this is common or unusual.

Action by Planning Board: None required

ORDINANCE 19-07182022

City Council Ordinance

IN CITY COUNCIL

Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

Be it ordained, that the City Council approve the creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B as recommended by the Planning Board on June 21, 2022 and amended as attached.

Richard Whiting, Ward One
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Phillip L. Crowell, Jr., City Manager

DIVISION 14. FORM BASED CODE[1]

Subdivision I. In General

Sec. 60-546. Purpose.

The purpose of the form based code is to:

(a) Provide a building development pattern that is based upon the built environment's physical form and its relationship to the public realm and the private realm.

(b) Allow for a diversity of uses appropriate and compatible to the designated district area.

(c) Provide a more accelerated building design, review, approval and construction process.

(d) Deliver a more predictable building development outcome that is consistent with the traditional pedestrian-oriented street-building development pattern.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

(Ord. No. 04-03072016, 5-16-2016)

[1]Editor's note(s)—Ord. No. 04-03072016, adopted May 16, 2016, repealed former Div. 14, §§ 60-546—60-549, in its entirety and enacted new provisions as herein set out. Former Div. 14 pertained to the central business district and derived from Ord. of 9-21-2009, §§ 3.69A—3.69D; Ord. of 2-16-2010.

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

Illustrative View of T-4.1 (Main Street)

Intent and Purpose:
Traditional Main Street Neighborhood (T-4.1)

The Main Street Neighborhood district is designed to continue the existing pattern of large houses set along Main Street. This area is characterized by front porches, residential front yards and front doors facing the street. T-4.1 promotes a lower-density and less concentrated pattern of buildings along the street, while maintaining a pleasing, connective and compact multi-modal environment.

Characteristic Features

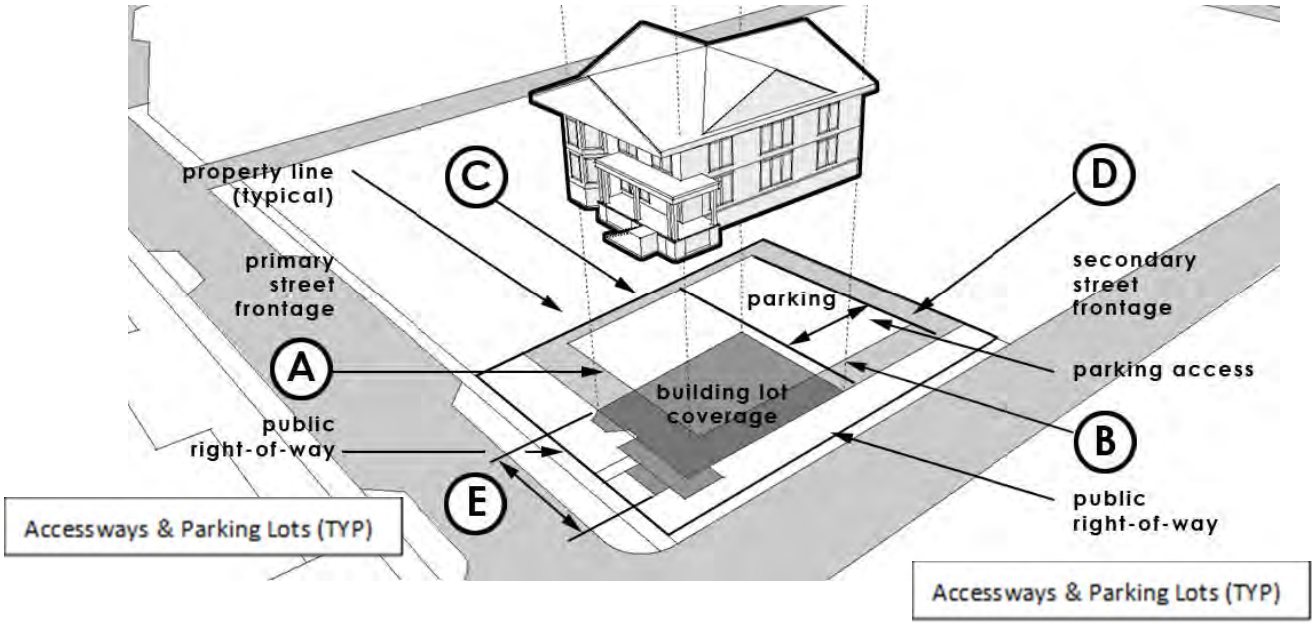
- Front lawns
- Front facade detailing
- Frontage fences
- Porches
- Bay windows
- Foundation planting and yard landscaping
- Street Trees
- Lower Density

Examples of Main Street Neighborhood - T-4.1

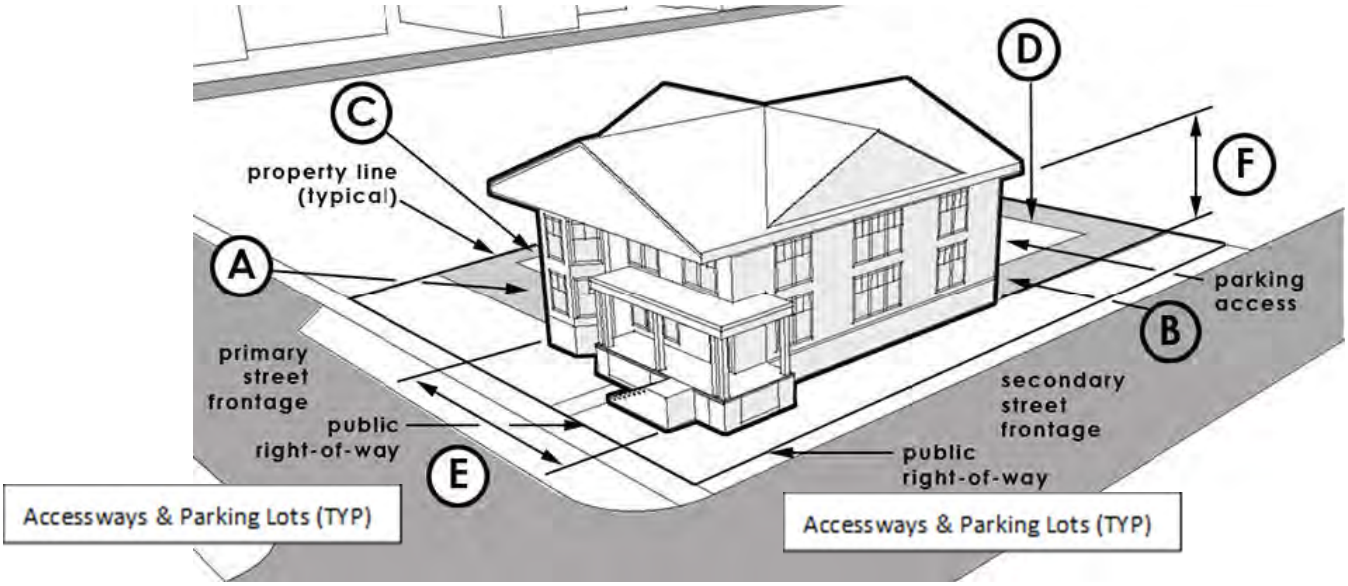
(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.1. Building placement and configuration T-4.1.

Elevated Building Placement



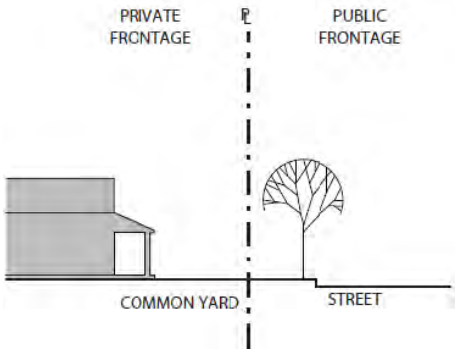
Building Placement on Lot



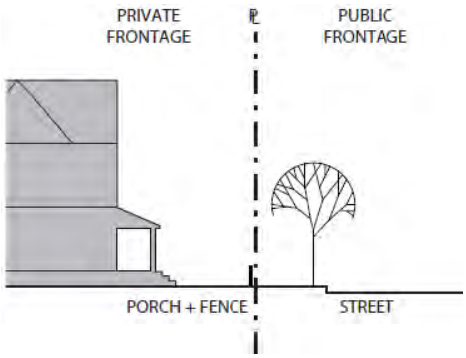
PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	15 ft. Min. 25 ft. Max.	(A)
(Corner Lot) Front Setback, Secondary:	15 ft. Min., 25 ft. Max	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	60% Max.	
Useable Open Space:	20% Min.	
Frontage Build-Out:	40% Min. (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 64 ft. Max.	(E)
Building Height Minimum:	2 Story Min.	(F)
Building Height Maximum:	2 Story Max. (excluding attic story)	(F)

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.2. Building frontages types T-4.1.



Common Yard



Porch Yard

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard

BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Building Frontage Facades:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation:	The ground story shall be a minimum of 2 feet and 6 feet maximum above the front yard elevation (average grade).
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.3. External elements T-4.1.

Front Yard Fence:	A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. Chain link, vinyl, split rail, or barbed wire is not allowed.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum or maximum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 10 ft. maximum. Front Setback, Secondary Frontage 10 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or

	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

(Insert Image)

Intent and Purpose:
Traditional Neighborhood (T-4.2B)

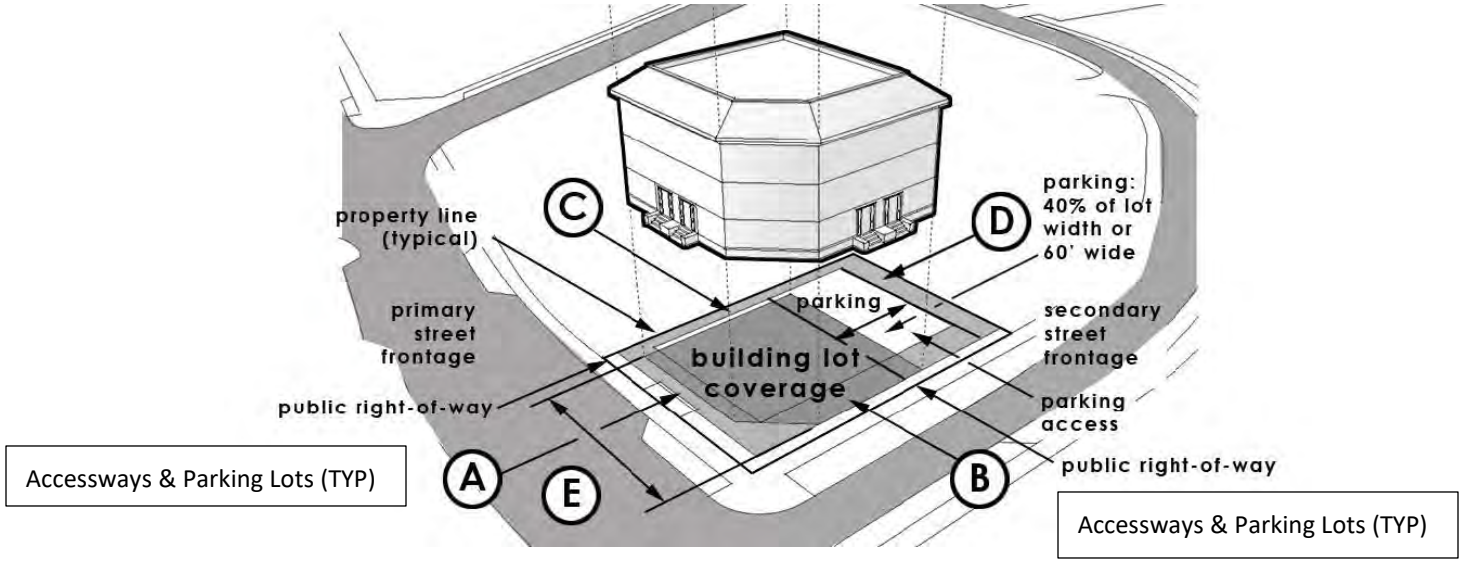
The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

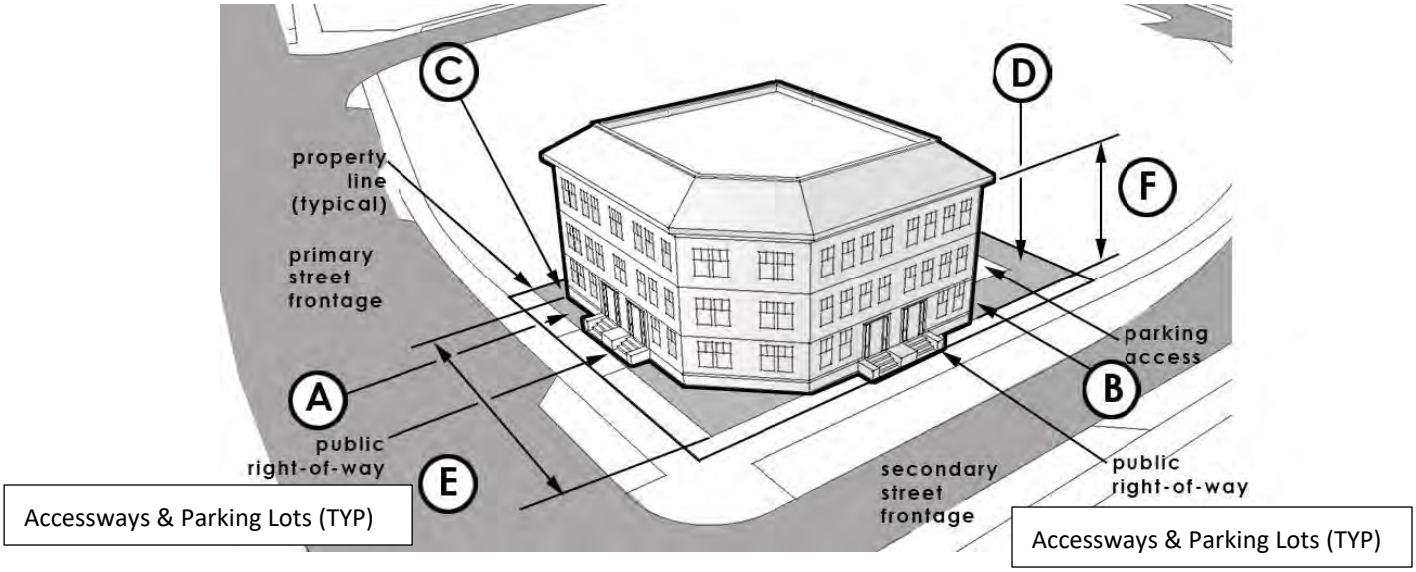
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1B. Building placement and configuration T-4.2B.



Elevated Building Placement



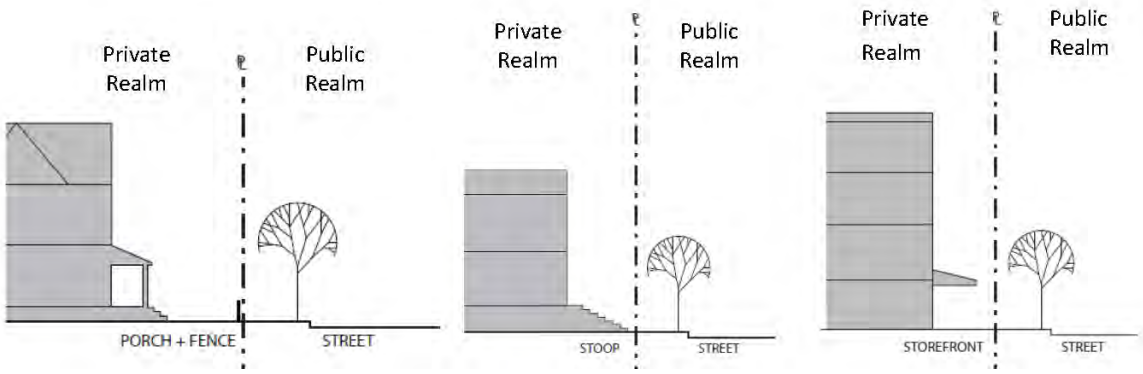
Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min., ~~15 ft.~~ 25 ft. Max*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., ~~15 ft.~~ 25 ft. Max. *	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

* No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2B. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3B. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)

Intent and Purpose:
Traditional Downtown Neighborhood (T-4.2)

The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

- More public and private realm interaction
- Front facade detailing
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- Street Trees
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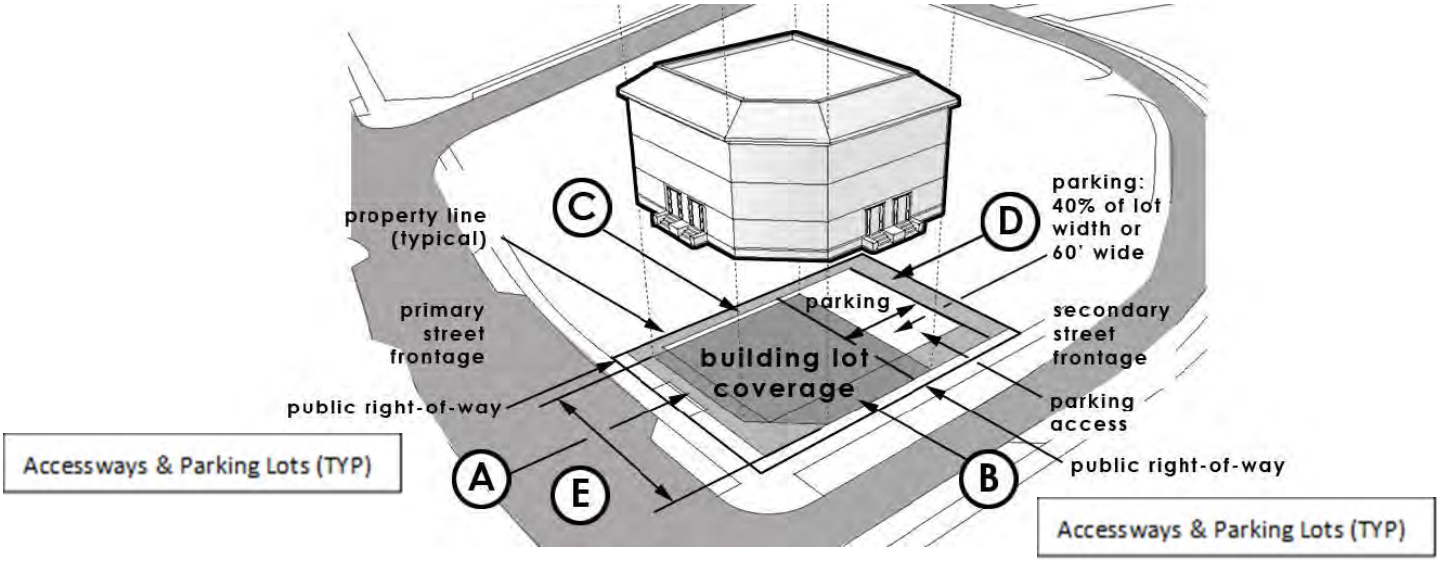
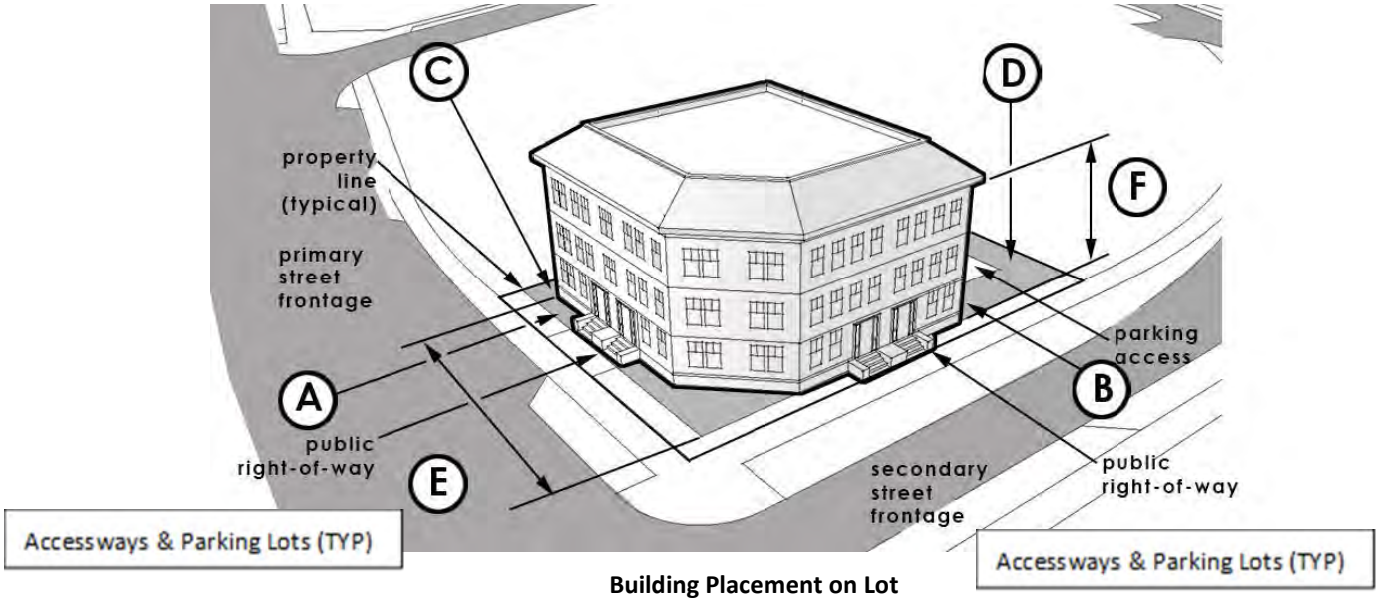
(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1. Building placement and configuration T-4.2.



Elevated Building Placement

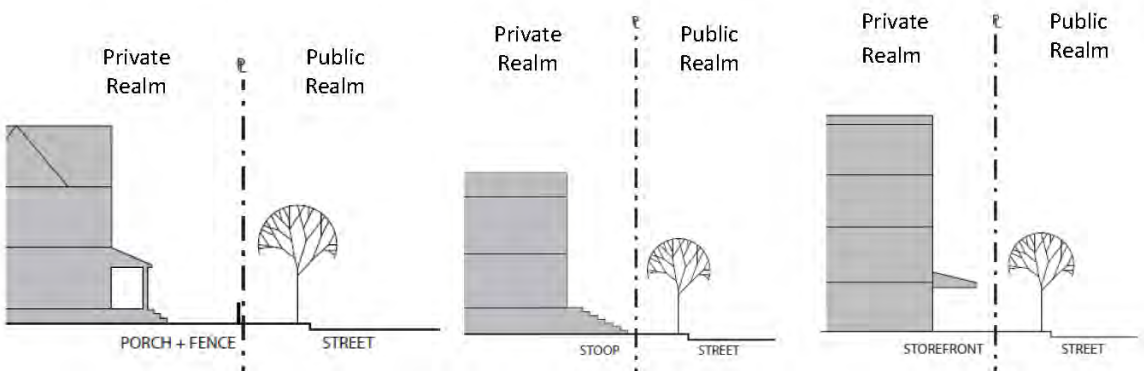


Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
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BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
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Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4,5)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service Type Use							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None

Retail Type Use							
General Retail	S	**S**	S	P	P	P	None
Age Restricted Retail (3)	S	**X**	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		**X**	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	**S**	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	**S**	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in **T-4.1 T-4.2, T-4.2B**, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within **500** feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must have a residential unit, with drive- through access not allowed.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

(1) The form based code shall regulate areas designated as form based code districts.

(2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

(3) Site plan/special exception. Any project located within a form based code district that requires special exception or site plan review shall comply with section 60-45.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-556. Form based code plan types.

(a) *Administrative types.*

(1) *By right.* No permits are required for projects such as normal maintenance or for new structures under 200 square feet.

(2) *Minor administrative.* Projects that require permits and comply with all form based code or zoning regulations, may be approved and permitted by the appropriate city departmental staff and will not require multiple departmental or planning board approval. These projects can be applied for at any time.

(3) *Major administrative.* Projects that do not qualify as a Subdivision. Special exception or site plan review type plans and comply with all form based code or zoning regulations, but due to multiple issues, will require review by the multiple city departmental staff.

(b) *Discretionary type plans.* The following plan types shall require review and action by the planning board.

(1) Subdivisions of three or more lots over a five-year period or a project creating more than three dwelling units. (Subdivision Review).

(2) Any project listed as special exception or "S" in section 60-554, Use and Parking Matrix Chart. (Special Exception and Site Plan Review).

(3) Any project within the form based code district proposing a total of 12,000 square feet of new construction, all floors included. (Special Exception and Site Plan Review).

(4) Any amendment to an existing discretionary plan that increases existing square footage more than 25 percent.

(5) Any project located within the form based code district area that seeks a waiver from the adopted form based code regulating development standards shall submit a complete Special Exception and Site Plan Review application for Planning Board review and action.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-557. Applicability.

(a) Any minor, major administrative type plan and/or discretionary plan, as defined in section 60-556, located within a form based code district, shall be required to submit a development review application prior to any issuance of building permits or development activity.

(b) Any development activity on or within property located with the form based code district shall be reviewed for compliance with applicable form based code or zoning ordinance regulations.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-558. Form based code development application procedure.

(a) *Administrative type plan application process.*

(1) Applicant identifies the subject property's zoning/transect district and determines what plan type the project is.

(2) Applicant reviews the project's compliance for form based code development standards, sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance Regulations.

(3) Pre-development consultation. All administrative type plan applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the property's form based code or zoning district and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Any minor or major administrative plan or discretionary plan applicant in a form based code district shall complete and submit a cover letter describing the project, a development review application, a form based code development checklist and the appropriate application fee and number of applications to the planning office.

(5) All form based code applications will be reviewed by the planning staff for completeness and applicant will be notified within five working days if the plan is deemed complete and whether the plan is administrative or discretionary. The applicant is responsible for working with the planning staff to correct any deficiencies needed to be accepted for further review.

(6) Type 2 and 3 administrative plans will be reviewed by the appropriate city departmental staff or other relevant agencies who will recommend approving, disapproving or postponing to allow for time to correct the application. The director of planning will notify the applicant of the decision in writing within 15 calendar days of its receipt of a completed application.

(7) The director of planning shall have the authority to require an administrative plan to be considered by the planning board and notify the applicant the justifications for doing so.

(b) *Discretionary project application process.*

(1) Applicant identifies subject property's zoning/transect and determines what plan type the project is.

(2) Applicant reviews the project's compliance for the applicable form based code development standards sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance regulations.

(3) Pre-development consultation. All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the form based code or zoning regulations and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.

(4) Discretionary plan applicants will submit; a development review application, a form based code development checklist the appropriate application fee and number of applications to the planning office for review and consideration by the planning board according to their normal submission deadline and meeting schedule.

(5) Applications not meeting all the requirements of the form based code may include waiver as per section 60-1312 or variance requests as part of their application.

(c) *Waiver requests.*

(1) Any waiver request of form based code standards and requirements must identify what is regulation is being requested for the waiver and include a narrative explaining how the waiver, if approved, will allow the project to meet the purpose of the form based code and the objective of section 60-1277, site plan review.

(d) *Planning board approval.*

(1) The planning board shall approve, approve with conditions, disapprove or postpone based on its review of the application meeting all existing requirements, conditions, criteria and provisions of special exception, site plan review. Subdivision law and any other relevant procedural requirement of Chapter 60, Zoning, as part of its consideration of a form based code application.

(2) The planning board shall provide findings for approval or disapproval based on the application's meeting the purpose of the form based code.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 41, 3-15-2021)

Secs. 60-559—60-576. Reserved.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 01, 2022 **Order:** 109-008012022

Author: Alison F. Pepin, Deputy Clerk

Subject: Liquor license approval for Make Dough, LLC, DBA Otto Auburn

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Information: Make Dough, LLC, DBA Otto Auburn, a new business located at 730 Center Street applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

City Budgetary Impacts: None

Staff Recommended Action: Public Hearing and recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Applications
- Public Notice
- Order

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interested in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- ☑ Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- ☑ Your application is signed and dated by a duly authorized person.
- ☑ The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
- ☑ The license fee submitted is for the correct fee for the license class for which you are applying and includes the $10.00 filing fee.
  - ☑ The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
  - ☐ If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the $10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- ☐ For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- ☑ A diagram of the facility to be licensed must accompany **all** applications whether for a new license or the renewal of an existing license
- ☑ If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- ☑ Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:
   Bureau of Alcoholic Beverages and Lottery Operations
   Division of Liquor Licensing and Enforcement
   8 State House Station
   Augusta, ME 04333-0008
2. Courier/overnight address:
   Bureau of Alcoholic Beverages and Lottery Operations
   Division of Liquor Licensing and Enforcement
   19 Union Street, Suite 301-B
   Augusta, ME 04330

The following licenses/permits may be required prior to be licensing as an on-premises licensee with the Bureau

Obtained ✓	License/Permit	State/Federal Agency to Contact	Telephone Number	Physical Location
✓	Seller Certificate or Sales Tax Number	Maine Revenue Services www.maine.gov/revenue	(207) 624-9693	51 Commerce Dr, Augusta
✓	Health License	Health and Human Services www.maine.gov/dhhs	(207) 287 5671	286 Water St, 3rd floor, Augusta
✓	Victualer's License	Municipality where premise is located.	Contact your town office or county office	Contact your town office or county office
	Shellfish License	Marine Recourses www.maine.gov/dmr	(207) 624-6550	• 32 Blossom Lane, Augusta • 194 McKown Point Rd, West Boothbay Harbor • Lamoine State Park, Lamoine • 650 State St, Bangor • 317 Whitneyville Rd, Jonesboro
	Dance or Entertainment License	Fire Marshall's Office www.maine.gov/dps/fmo	(207) 626-3882	45 Commerce Drive, Suite 1, Augusta
✓	Federal I.D. Number	www.irs.gov	(800) 829-4933	
✓	Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names)	Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec	(207) 624-7752	111 Sewall St, 3rd Fl, Augusta
	Retail Beverage Alcohol Dealers Permit	Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers	(877) 882-3277	

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only
License No:
Class: By:
Deposit Date:
Amt. Deposited:
Payment Type:
OK with SOS: Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): Matte Dough LLC	Business Name (D/B/A): Otto Auburn
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 730 Center St Auburn ME 04210
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 22 Hawthorne St #2 Portland ME 04103
Mailing address, if different from DBA address:	Email Address: rubing@ottoportland.com
Telephone # Fax #:	Business Telephone # Fax #: 207-209-0317
Federal Tax Identification Number: 86-2165285	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: ottoportland.com

1. New license or renewal of existing license? ☑ New Expected Start date: 7/15/2022
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☑ Malt Liquor (beer) ☑ Wine ☑ Spirits

4. Indicate the type of license applying for: (choose only one)

☑	Restaurant (Class I, II, III, IV)	☐	Class A Restaurant/Lounge (Class XI)	☐	Class A Lounge (Class X)
☐	Hotel (Class I, II, III, IV)	☐	Hotel – Food Optional (Class I-A)	☐	Bed & Breakfast (Class V)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

22 Hawthorne St #2 Portland Maine 04103

6. Is the licensee/applicant(s) citizens of the United States? ☑ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☑ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☑ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☑ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☑ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☑ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Make Dough LLC dba Otto Gorham	RES-2021-13742	109 main St Unit C Gorham, Maine 04038

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Gregory J Ingrao	10/28/89	Warren, MI
Brendon Medeiros	02/03/91	Fall River, MA

Residence address on all the above for previous 5 years

Name Gregory J Ingrao Address: 22 Hawthorne St #2 Portland Maine 04103

Name Gregory J Ingrao Address: 9 Willis St Portland Maine 04101

Name Brendon Medeiros Address: 10 Swan St Portland Maine 04102

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☑ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☑ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☑ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: Gregory Ingrao Date of Conviction: 11/3/2012

Offense: drug possession Location: Michigan

Disposition: probation

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☑ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☑ No

If No, please provide the name and address of the owner:

EVP Auburn LLC 49 Lexington st ste 5 West Newton MA 02465

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Restaurant serving pizza, salads, appetizers desserts, soft drinks, beer, wine

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Grace Community Church

Distance: 1.3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 06/08/2022

GJI
Signature of Duly Authorized Person

BM
Signature of Duly Authorized Person

Gregory J Ingraio
Printed Name Duly Authorized Person

Brandon Medeiros
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)**	$ 900.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)**	$1,100.00
	This class includes only hotels that do not serve three meals a day.	
Class II	**For the Sale of Spirits Only**	$ 550.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	**For the Sale of Wine Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	**For the Sale of Malt Liquor Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III and IV	**For the Sale of Malt Liquor and Wine Only**	$ 440.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V	**For the sale of liquor (malt liquor, wine and spirits)**	$ 495.00
	This class includes only a Club without catering privileges.	
Class X	**For the sale of liquor (malt liquor, wine and spirits)**	$2,200.00
	This class includes only a Class A Lounge	
Class XI	**For the sale of liquor (malt liquor, wine and spirits)**	$1,500.00
	This class includes only a Restaurant Lounge	

Section VI Premises Floor Plan See attached

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Make Dough LLC
2. Doing Business As, if any: Otto Auburn
3. Date of filing with Secretary of State: 02/18/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Gregory J Ingrao	22 Hawthorne St #2 Portland Maine 04103	10/28/89	partner	50
Brendon Medeiros	10 Swan St Portland Maine 04102	02/03/91	partner	50
Gregory J Ingrao	9 Willis St Portland, Maine 04101			

(Ownership in non-publicly traded companies must add up to 100%.)

ServSafe

ServSafe®
CERTIFICATION

GREGORY INGRAO

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)–Conference for Food Protection (CFP).

16300084	5338
CERTIFICATE NUMBER	EXAM FORM NUMBER
4/5/2018	4/5/2023
DATE OF EXAMINATION	DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.

ANSI Accredited
#0655
ASTM E2659
Certificate Issuer

Sherman Brown
Executive Vice President, National Restaurant Association Solutions

In accordance with Manitoba Labour Convention 2006, Resolution ADM N 068-2013 (Regulation 3.2, Standard A3.2).

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12110811 v.1713

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL 60606-6383 or ServSafe@restaurant.org.

ongratulations!

his card certifies that you have successfully completed the IPS (Training for Intervention ProcedureS) program. We value our participation and dedication to the responsible sale, ervice, and consumption of alcohol.

y using the techniques you have learned, you will help to rovide a safer environment for your patrons, peers, and olleagues and reduce the tragedies resulting from intoxication, nderage drinking, and drunk driving.

you have any information you think would nhance the TIPS program, or if we can assist you any way, please contact us at 800-438-8477.

TIPS®

Sincerely,

Adam F. Chafetz
HCI President

ID#: 5218773 Name: Gregory J Ingrao
Exam Date: 10/17/2019 Expiration Date: 10/17/2022

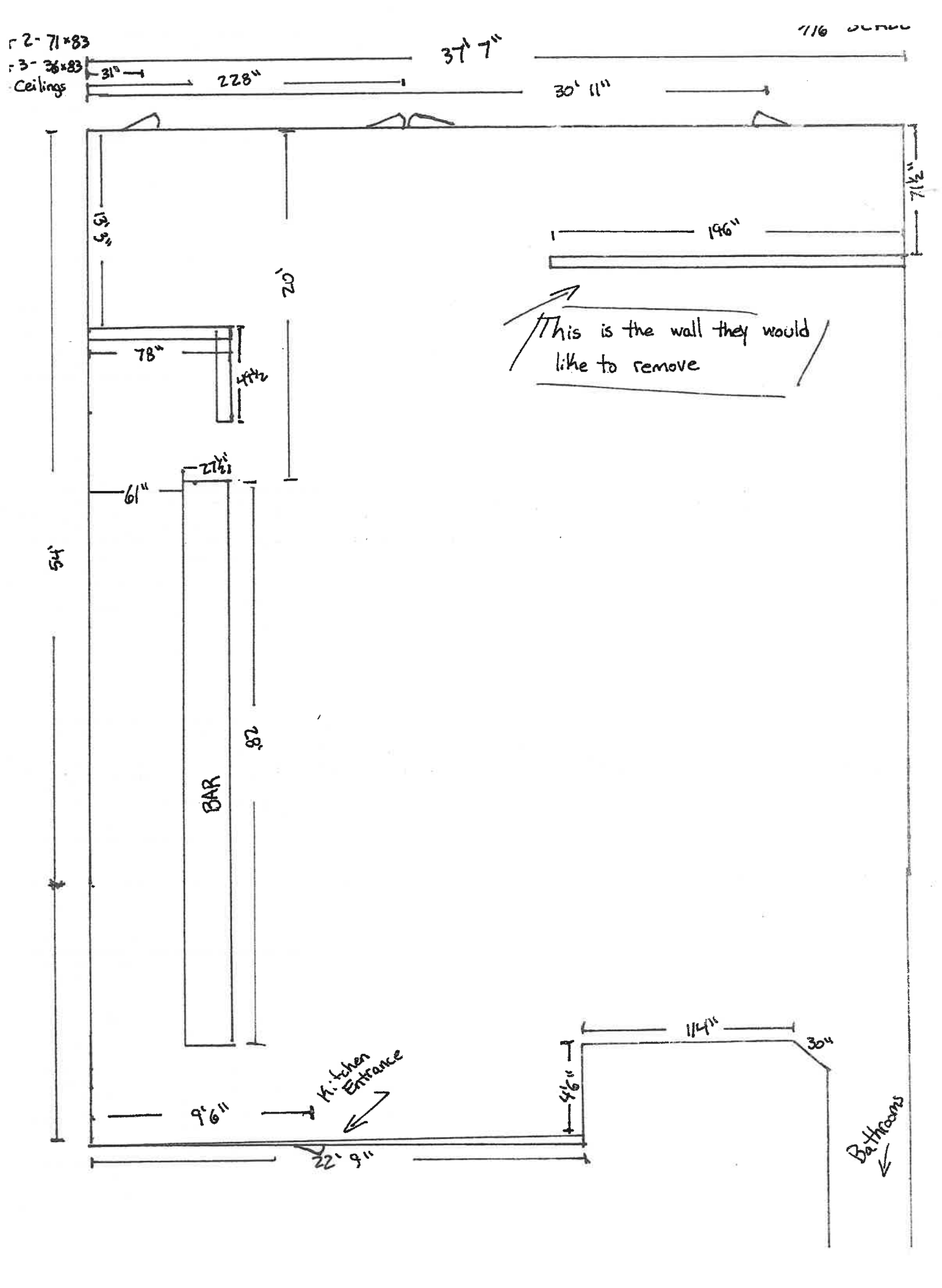
CERTIFIED

TIPS eTIPS On Premise 3.0

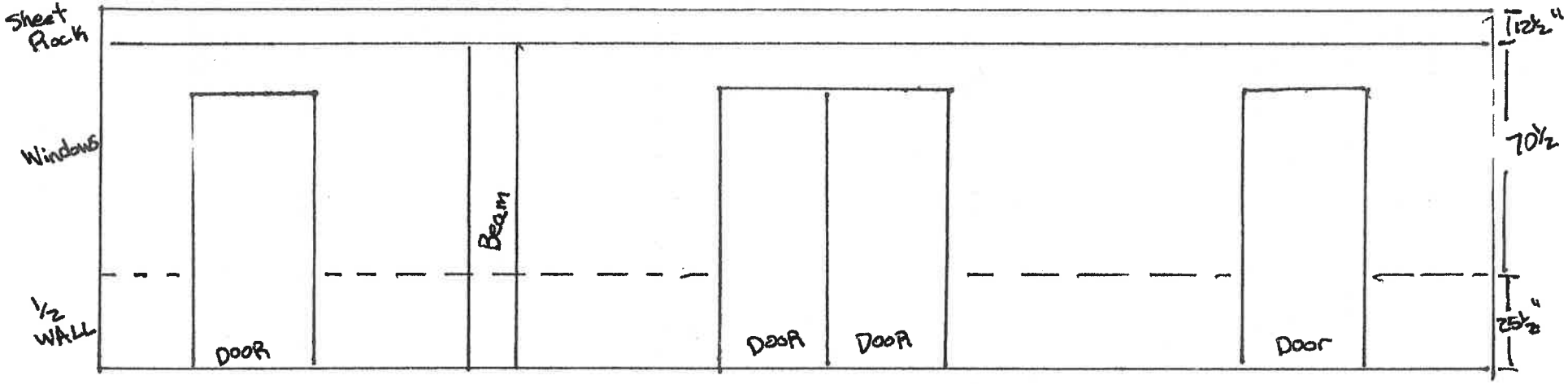
Issued: 10/17/2019 Expires: 10/17/2022
ID#: 5218773

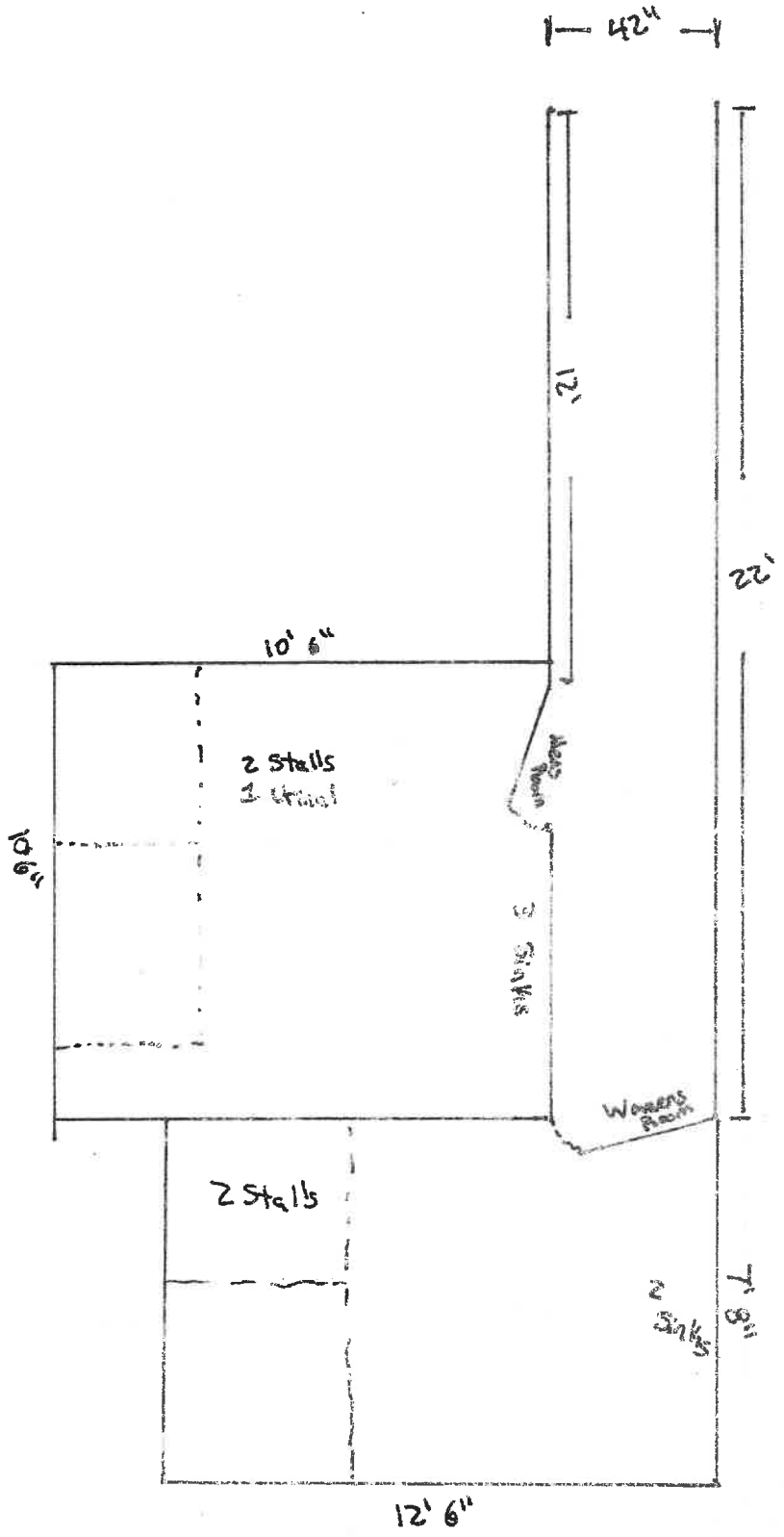
Gregory J Ingrao
Otto Pizza
576 Congress St
Portland, ME 04101-3311

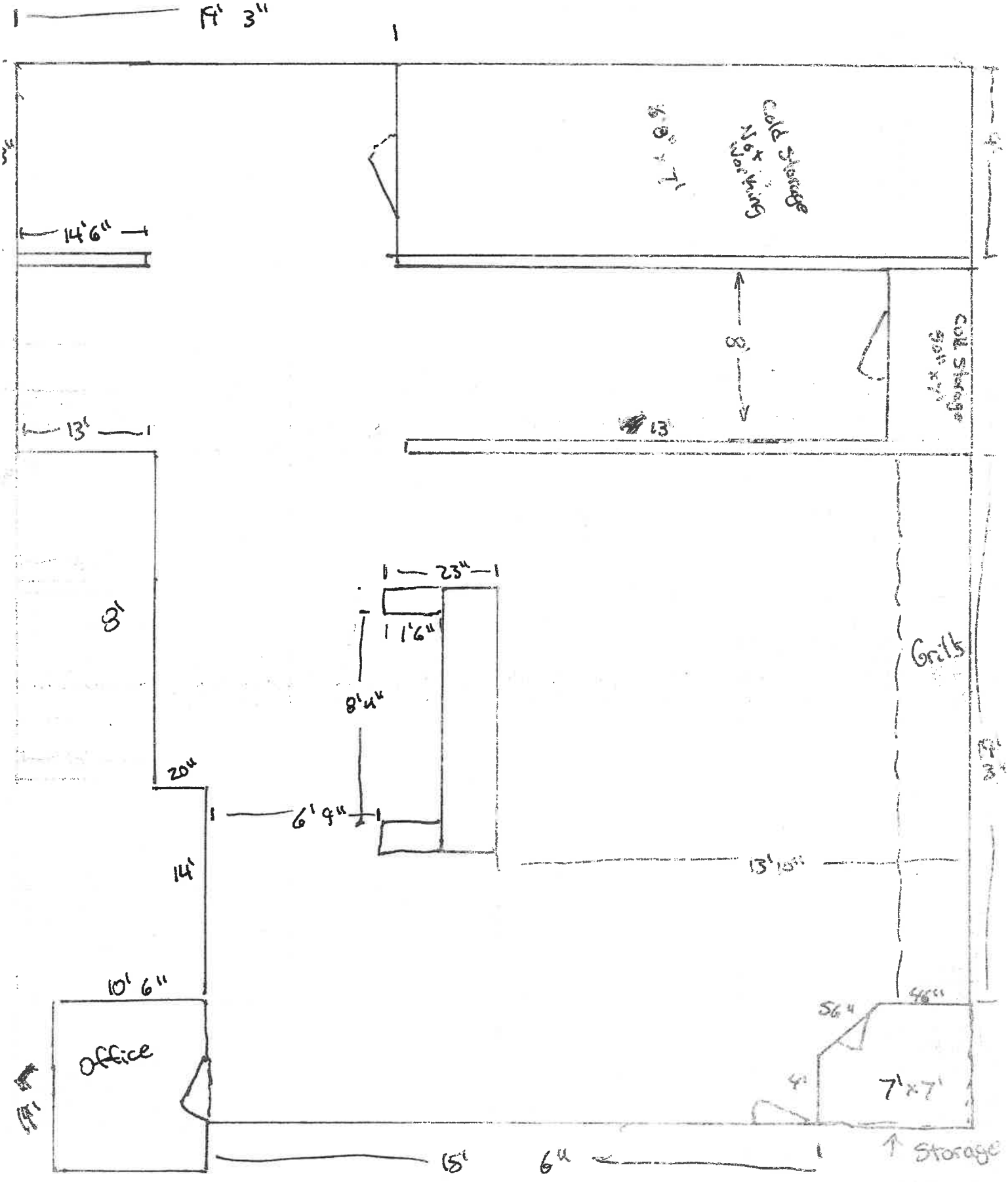
For service visit us online at www.gettips.com


2- 71×83
3- 36×83
Ceilings
31"
228"
37' 7"
30' 11"
13' 3"
20'
146"
7½"
This is the wall they would like to remove
78"
4½"
27½"
61"
54'
82"
BAR
114"
30"
4'6"
Kitchen Entrance
9'6"
22' 9"
Bathrooms

BUILDING FACE




42"
12'
22'
10' 6"
2 Stalls
1 Urinal
Mens Room
10' 6"
3 Sinks
Womens Room
2 Stalls
11' 6"
2 Sinks
12' 6"


14' 3"
Cold Storage
Walk-in
7' x 7'
14'6"
8'
13'
13'
Cold Storage
8' x 8'
23"
11'6"
8'4"
8'
20"
6'9"
14'
13'10"
Grills
10' 6"
Office
15'
56"
46"
4'
7' x 7'
15'
6"
Storage

MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

DENISE SPOONER
60 COURT STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F192888

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2022-06-13) :

Inquiries Name(s) BRENDON MEDEIROS (1991-02-03)

NO MATCH WAS FOUND FOR YOUR REQUEST.

MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

DENISE SPOONER
60 COURT STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F192889

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2022-06-13) :

Inquiries Name(s) GREGORY J INGRAO (1989-10-28)

NO MATCH WAS FOUND FOR YOUR REQUEST.

CITY OF AUBURN

BUSINESS LICENSE APPLICATION

Business Name: Otto Auburn

Office of the City Clerk
60 Court St, Auburn,
ME 04210
207.333.6600
www.auburnmaine.gov

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

☑ NEW ☐ RENEWAL Expires: _____

Please check the boxes for all licenses you are applying for:

There is a late fee of $50.00 for renewals that are 30-45 days late, $100.00 for more than 46 days late, and $200.00 for reoccurring

Food Service Establishments:

☐ ***FSE Mobile Food distribution Unit** (12 mths) ...$100
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.

☑ ***FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I)** $500

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***FSE Serving Malt and/or Vinous (FSE Class III & IV)**..... $400

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***Class A Lounge Serving Malt, Vinous & Spirituous Liquor (Class X)** $1000
(Plus, actual cost of advertising hearing)

Public hearing required for new license - $100 fee.
Background check must also be included.

☐ ***FSE (On/Off), no Alcohol**.....$200
Includes Prepackaged Foods

☐ ***Bottle Club/BYOB**..... $200

Public hearing required for new license- $100 fee
Background check must also be included.

☐ ***Temp FSE** (Per event max 30 days).....$60

***All above licenses**: include copy of floor plan, menu/ draft menu, certified food handler certificate and a copy of all State licenses applicable.

☐ **FSE Off Premise/Retailer-Malt Liquor/Table Wine**..... $200

Other Business Licenses Applying for:

☐ ***Special Amusement** $125
Public hearing required for new license- $100 fee
Please fill out supplemental questionnaire (pg. 4).

☐ ***Pawnshop/Pawn Broker** $100

☐ ***Secondhand Dealer**..... $100

☐ ***Massage Establishment/Therapist**..... $150
State license #: _____

Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

☐ ***Tattoo Artist**..... $100

***Above licenses**: *Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application.* **You can do it yourself on-line here: http://www5.informe.org/online/pcr/**

☐ **Bowling Alley (fee per lane)** .....
$85
Of lanes: _____

☐ **Roller Skating Rinks with Part/Full Kitchen**...$90

☐ **Coin-op Devices (fee per device)**.....
Up to 10 devices..... $50 Ea
10 or more devices.... $30 Ea
# of devices: _____ **Total Amt** _____

☐ **Lodging House, Boarding House, Rooming Houses, Hotels, Motels, etc**..... $100

Seating: 80 **Occupancy load:** 80

LICENSING FEE(S) TOTAL DUE: $ 600

Otto Pizza, Auburn unit 23

NAME OF BUSINESS: Make Dough LLC BUSINESS ADDRESS: 730 Center St Auburn

BUSINESS MAILING ADDRESS: 22 Hawthorne St #2 Portland, Maine 04103

OWNER'S NAME (LOCAL/ONSITE): Greg Ingrao DOB: 10/28/89 PHONE: 207-209-0317

OWNER'S ADDRESS: 22 Hawthorne St #2 Portland MAILING ADDRESS: 22 Hawthorne Dr #2 Portland, Maine 04103

PREFERRED EMAIL: gregi@ottoportland.com

MANAGER'S NAME: Greg Ingrao PHONE #: 207-209-0317 DOB: 10/28/89

PREFERRED CONTACT NAME: Robin Gaskin Accountant PHONE #: 207-420-1120

EMAIL ADDRESS: robing@ottoportland.com

DESCRIPTION OF BUSINESS: restaurant serving pizza salads, apps, desserts, soft drinks beer wine liquor

TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): Jasmine Restaurant

FORM OF BUSINESS ORGANIZATION: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☒ LLC ☐ Other

(If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	*Print Clearly* Address Previous 5 years	Birth Date	% of Stock	Title
Greg Ingrao	22 Hawthorne Dr #2 Portland, ME 04103	10/28/89	50	Owner
Brendon Medeiros	10 Swan St Portland, ME 04102	02/03/91	50	owner
Greg Ingrao	9 W. 11.5 St Portland ME 04101			

OWNER OF BUILDING/UNIT: EVP Auburn LLC PHONE #: 617-512-7452

OWNER'S ADDRESS: 49 Lexington St, Ste 5 West Newton, MA 02465

HOURS OF OPERATION: Mon: 11-10 Tues: 11-10 Wed: 11-10 Thurs: 11-10
Fri: 11-10 Sat: 11-10 Sun: 11-10

Has applicant(s) and/or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? ☐ Yes ☒ No (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.*

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

****READ CAREFULLY BEFORE SIGNING****

I, Greg Ingrao (Print name), Owner/Operator of the business, hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: _____ **Date:** 6/8/2022

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

✓ Approved	_ Denied	FIRE INSPECTOR	DO 7/25
✓ Approved	_ Denied	CODE ENFORCEMENT OFFICER	KB 7/25
✓ Approved	_ Denied	POLICE	BS 6/14
✓ Approved	_ Denied	FINANCE	NB 6/14

Comments:

* inspections from code & Fire

Application date: 6/13/22 License issued on: _____

Fees paid: License fee(s) 500 Public hearing fee 100 Background fee _____ Late fee _____

Total amount paid = $ 600 CK # 2170

PORTLAND, MAINE
OTTO
PIZZA

BEGIN

House-made Meatballs 8.25
pork & beef, in pomodoro sauce

Two-Cheese Garlic Sticks 6.49
asiago and mozzarella breadsticks, with pomodoro sauce (or house-made ranch or blue cheese +1.75)

SALADS

Caesar 7.25
romaine, shaved parmesan, cracked pepper, Caesar dressing

House 6.50
Lettuce mix, tomato, cucumber, red pepper, red onion, with red wine vinaigrette

Seasonal Salad Special 8.25

DESSERTS

Tiramisu 5.10
house-made

OTTO Cookie 1.30
house-made Chocolate Chip

PIES

● = pies with tomato sauce

CHEESE

OTTO Four Cheese 14 / 22.50
ricotta, fontina, asiago, mozzarella

Three-Cheese Tortellini● 13 / 18.50
ricotta, asiago, mozzarella

Cheese● 11.75 / 16.50

VEG

Butternut Squash, Ricotta & Cranberry 14 / 22.50

Margherita 13 / 20.50
fresh Roma tomatoes and basil

Buffalo Cauliflower, Scallion & Blue Cheese 14 / 22.50

Fresh Mushrooms & Roasted Cauliflower 14 / 22.50

Fresh Mushrooms, Manchego & Herb● 14 / 22.50

Ricotta & Basil● 13 / 20.50

Eggplant, Ricotta & Basil● 14 / 22.50

Spinach, Kalamata Olive & Roasted Garlic● 14 / 22.50

MEAT

"The Masher"
mashed potato, bacon & scallion
14 / 22.50

Pepperoni● 13 / 18.75

Pepperoni & Fresh Mushrooms● 13.75 / 20.75

Spicy Pulled Pork, Pepperoni, Bacon & Sausage● 14 / 22.50

Spicy Pulled Pork with Scallion 13.50 / 21

Pulled Pork & Mango 13.50 / 21.25

Chicken & Basil● 13 / 20.50

Sriracha Chicken & Avocado 14 / 22.50

Sausage & Vidalia Onion● 13.75 / 20.75

Fresh Pineapple, Bacon & Hot Honey 14 / 22.50

Fresh Mushrooms, Bacon & Vidalia Onion 14 / 22.50

ASK ABOUT
MONTHLY PIE SPECIALS*

NEW
DOUBLE DOUGH Thick Crust Option: +2 per large pie

CREATE YOUR OWN

12" = 11.75 (+ 1.50 per topping)

16" = 16.50 (+ 2.75 per topping)

red pie unless otherwise specified

VEGAN OPTIONS

Vegan Cheese: 12" +2.25, 16" + 4.00

Many pies can be made vegan with Violife vegan mozzarella flavor grated cheese. The following vegetable toppings are NOT vegan: butternut squash, roasted pear, and mashed potatoes.

12" GLUTEN-FREE CRUST PIZZA

13.75 (+ 1.50 per topping)

All pies available on gluten-free crust (with the exception of Three-Cheese Tortellini).

OTTO's gluten-free options are appropriate for guests with mild gluten sensitivity. However, they are not recommended for guests with celiac disease. We cannot guarantee that each handmade pizza does not contain trace amounts of gluten.

1/2 ▲ 1/2 PIES: *At OTTO, each signature pie is uniquely composed, from its base to its seasonings. Due to the nature of the compositions, the following signature pie combinations are not available as ½ & ½ pies:* Butternut Squash, Ricotta & Cranberry and Mashed Potato, Bacon & Scallion *We are happy to compose ½ & ½ pies featuring our less involved combinations – although for best results, we recommend two small pies instead.*

Before placing your order, please inform your server if a person in your party has a food allergy. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of food-borne illness.

ServSafe®
CERTIFICATION

GREGORY INGRAO

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)–Conference for Food Protection (CFP).

16300084	5338
CERTIFICATE NUMBER	EXAM FORM NUMBER
4/5/2018	4/5/2023
DATE OF EXAMINATION	DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.

Sherman Brown
Executive Vice President, National Restaurant Association Solutions

In accordance with Maritime Labour Convention 2006, Resolution ADM N 068-2013 (Regulation 3.2, Standard A3.2).
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This document cannot be reproduced or altered.
12110811

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL 60606-6383 or ServSafe@restaurant.org.

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention ProcedureS) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.

TIPS®

Sincerely,

Adam F. Chafetz
HCI President

ID#: 5218773 Name: Gregory J Ingrao
Exam Date: 10/17/2019 Expiration Date: 10/17/2022

CERTIFIED

TIPS eTIPS On Premise 3.0

Issued: 10/17/2019 Expires: 10/17/2022
ID#: 5218773

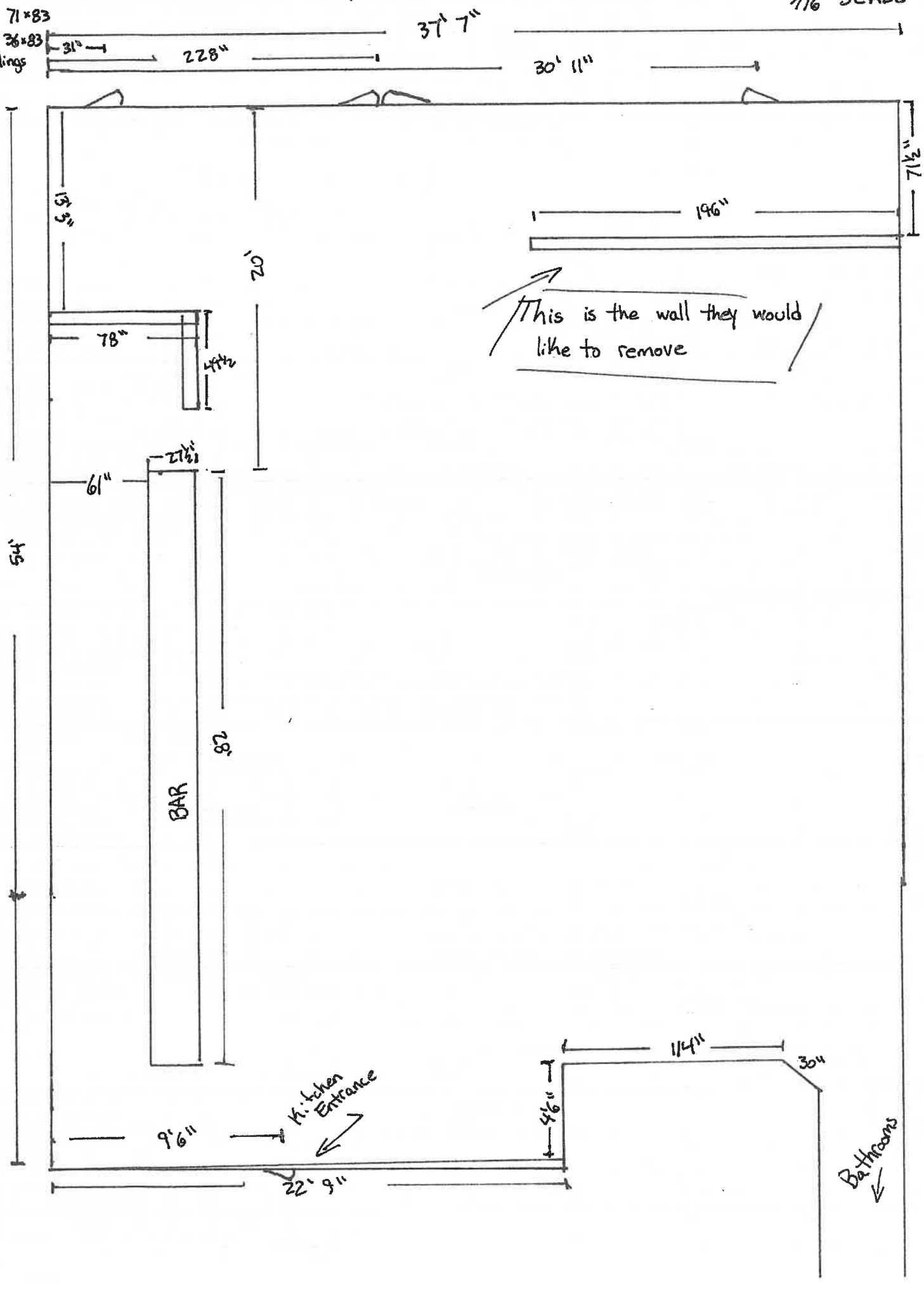
Gregory J Ingrao
Otto Pizza
576 Congress St
Portland, ME 04101-3311

For service visit us online at www.gettips.com

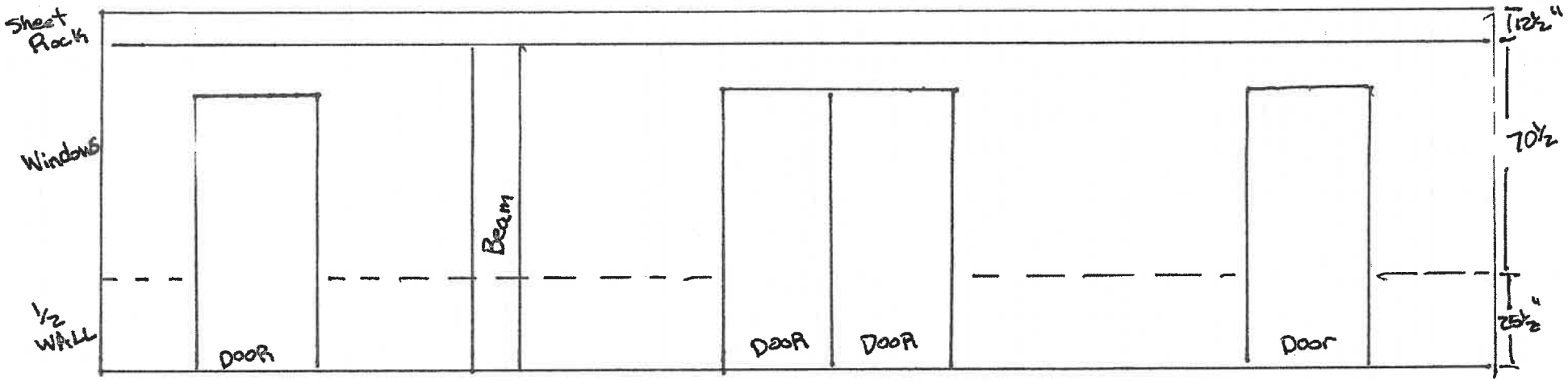
or 1- 51½×83
or 2- 71×83
or 3- 36×83
+ Ceilings

OTIS - AUBURN

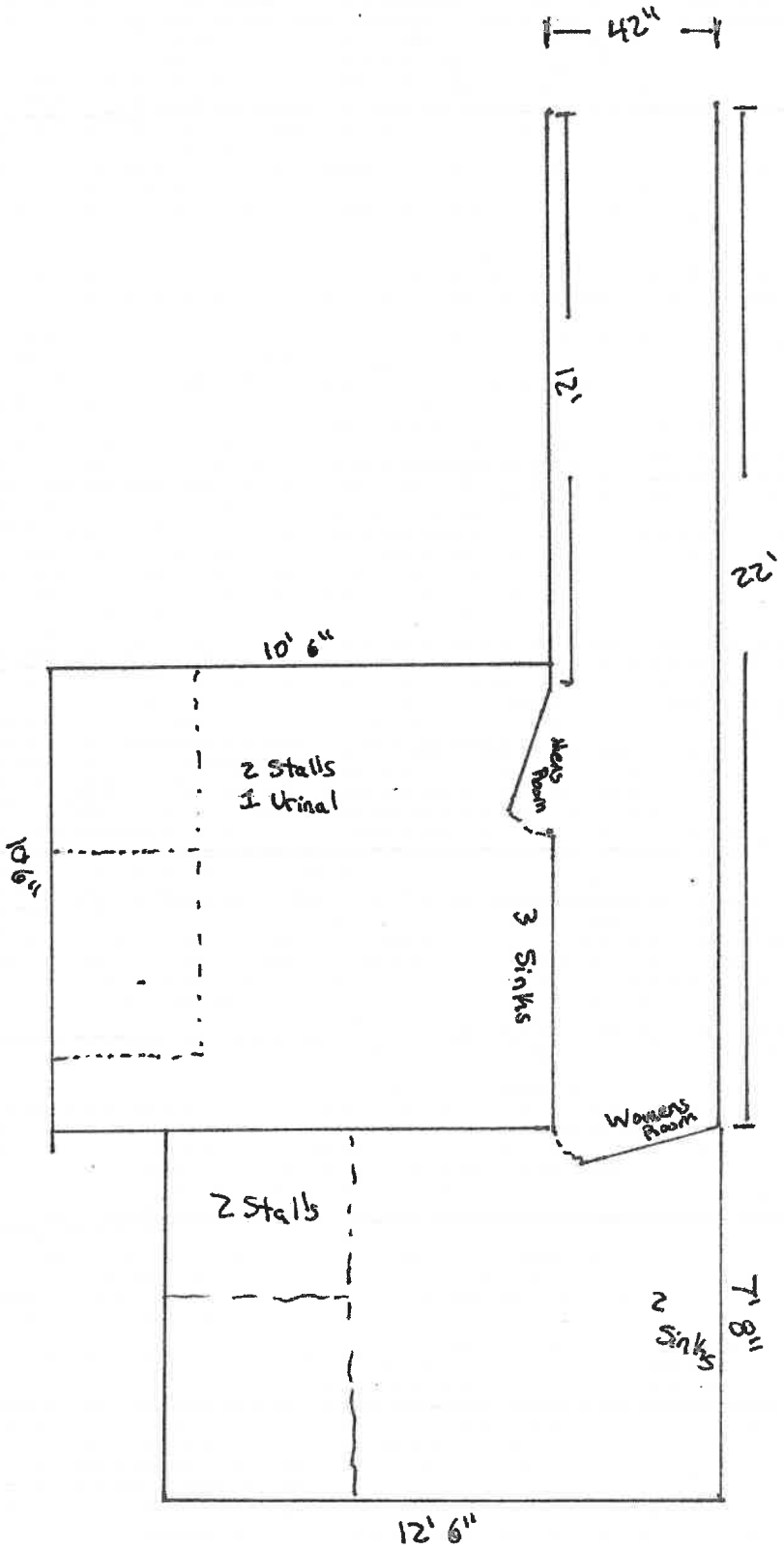
3/16 SCALE



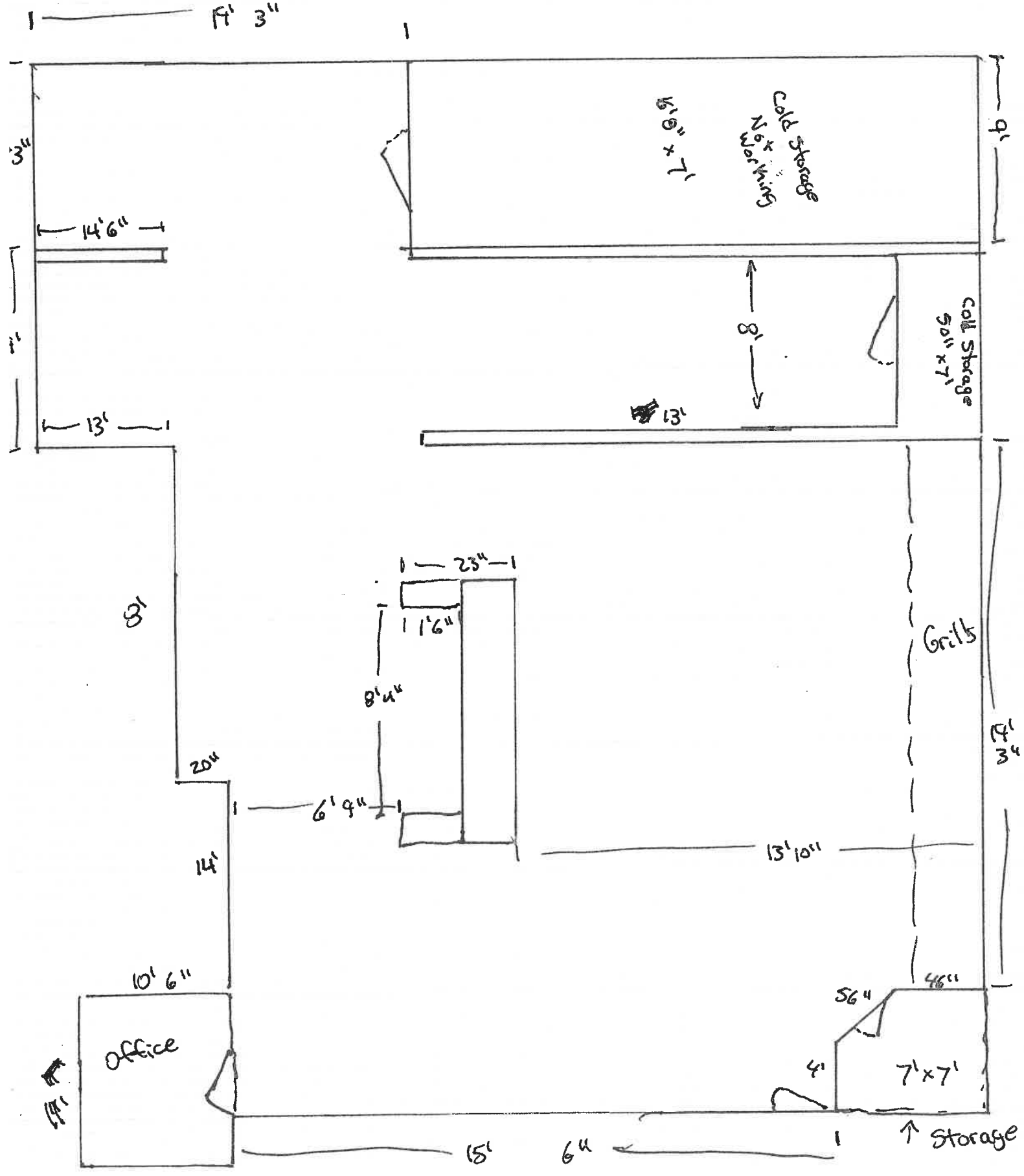
BUILDING FACE



BATHROOMS


42"
12'
22'
10' 6"
2 Stalls
1 Urinal
Men's Room
10' 6"
3 Sinks
Women's Room
2 Stalls
7' 8"
2 Sinks
12' 6"

Kitchen - No Changes



CITY OF AUBURN NOTICE OF PUBLIC HEARING

A public hearing will be held by the Auburn City Council on August 01, 2022 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for: OTTO PIZZA, AUBURN – 730 CENTER STREET All interested persons may appear and will be given the opportunity to be heard before final action is taken.

ORDER 109-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Liquor License for Make Dough, LLC., Otto, Auburn located at 730 Center Street, Auburn, ME.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Order:** 110-08012022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Auburn-Lewiston HOME-ARP Plan

Information:
The Auburn-Lewiston HOME Consortium was allocated $1,700,829 from U.S. Department of HUD for the purpose of addressing Homelessness and housing insecurity. These funds are restricted to a "Qualified Population" as defined by HUD. This definition includes Homeless, those at-risk of becoming homeless, victims of domestic abuse and veterans.

In order to access these funds the Consortium had to complete a comprehensive assessment and consultation process. This plan codifies the recommendations from community and service provider input and establishes a 3 year budget and action plan for the use of these funds. Of the funds provided in aggregate to both cities, this plan establishes that 40% shall be spent on providing supportive services, 24% will be set aside for the development and operation of non-congregate shelters, 4% will provide additional funding for Sercirity Deposit assistance, 15% for the development of affordable housing, 5% for 3rd party non-profit operations and 12% for planning and administration of the grant.

City Budgetary Impacts:
Auburn's share of the consortium allocation for HOME-ARP is $914,195. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action:
Vote to adopt the Auburn-Lewiston Consortium HOME-ARP Plan as presented.

Previous Meetings and History:
Public Hearing May 2, 2022
Public Comment Period July 14 – August 1, 2022

City Manager Comments:

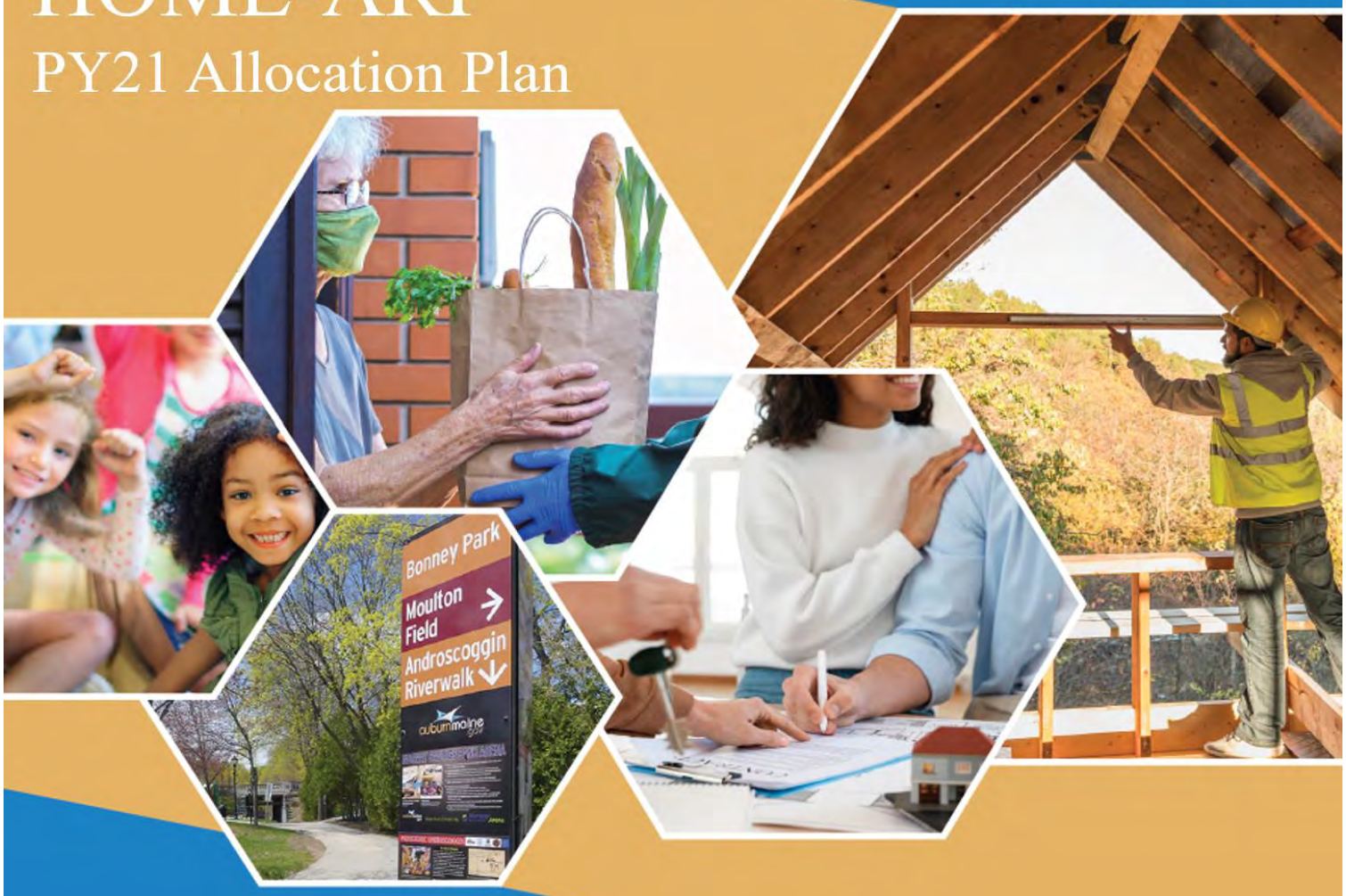
I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
Auburn-Lewiston Consortium HOME-ARP Plan

Auburn-Lewiston HOME Consortium

HOME-ARP

PY21 Allocation Plan



auburnmaine

City of Auburn Business & Community Development Department

HOME-ARP Allocation Plan

Program Year 2021

Prepared by: Auburn-Lewiston HOME Consortium
July, 2022

This plan was created utilizing the HUD CPD template provided, including questions and tables, as well as the requirements for the HOME-ARP allocation plan, as described in Notice CPD-21-10: *Requirements of the Use of Funds in the HOME-American Rescue Plan Program*, unless noted as optional. Also submitted with this plan are the SF-424, and the related certifications. References to "ARP" mean the HOME-ARP statute at section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2).

Award Amount

The Auburn-Lewiston HOME Consortium (ALHC) is a Participating Jurisdiction (PJ) recognized by the US Department of Housing & Urban Development (HUD). The ALHC will receive $1,700,829 in HOME-American Rescue Plan (ARP) funding. These funds are to be distributed by the city of Auburn to the ALHC Members in accordance with this Allocation Plan.

Consultation

In accordance with Section V.A of the Notice (page 13), before developing its HOME-ARP allocation plan, at a minimum, a PJ consulted with:

- CoC(s) serving the jurisdiction's geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans' groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

Describe the consultation process including methods used and dates of consultation:

The Auburn-Lewiston Home Consortium (ALHC) employed the following three tactics to collect meaningful and informative data regarding the size, demographic makeup and unmet needs of the local population. First, staff sources all traditional statistical data sources including federal census numbers, American Community Survey (ACS) and the Comprehensive Housing Affordability Strategy (CHAS) data as well as local data compiled by the Maine State Housing Authority (MSHA).

Secondly, staff reached out to local homeless service providers, community advocates, educational institutions, veterans' groups, community action programs, state agencies, domestic violence organizations, public housing authorities, mental healthcare providers and various housing navigators operating at organizations throughout the jurisdiction. This outreach included an overview of the qualified population as defined by HUD in CPD notice 21-10 as well as potential situations in which these populations may be encountered which they may not have considered in the past. This outreached concluded an appeal to these organizations to provide quantifiable data on hand or anecdotal narratives which may serve to highlight unmet needs regularly encountered. From this outreach culminated a number of formal and informal letters and consultations providing qualitative as well as quantitative data not represented or considered within the traditional data sources noted above.

The third approach was to release a broad community survey focused specifically on the impact of Covid-19 on access to adequate housing and essential services. This survey was circulated in 5 languages, utilizing digital as well as paper surveys distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households encompassing over 1,000 residents being completed.

This locally sourced survey data coupled with the formal or informal correspondence from local service providers was at times contradictory to the traditional data sources. Still, it aided in the development of a plan which is fixated on providing direct responses to the below identified needs. Through consultation and continued collaboration and data sharing with the MSHA HUB Coordinator, the Coordinated Entry system of the Continuum of Care and the various housing navigators operating at various specialty service providers within the jurisdiction the ALHC will be able to better compile accurate, local assessments of need. Sharing these methodologies and conclusions with MSHA and other state and federal level offices will improve the ability to assess and address homeless & at-risk populations.

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Maine Continuum of Care (MCoC)	Continuum of Care	Participated in virtual meeting with 59 people attending representing 24 service provider organizations – 10/27/21	Need to continue rental assistance programs and asses missing connections through a diversity, equity & inclusion lens. Provide direct outreach to landlords to assist development or improvement of new units. Need relaxed criteria for LMI populations.
Lewiston-Auburn Landlord Association	Private Org addressing housing	Attended regular meeting with 26 landlords. – 1/25/22	Need for more rehab programs with relaxed criteria to improve or add new units. Need relaxed zoning to allow for additional units. Need to

			remove sprinkler requirements for older buildings.
Auburn Housing Authority	Public Housing Authority	Discussions with Director	Needing increase in voucher funds for Section 8. Additional funding from HOME program for new unit development projects is needed to add to inventory.
PAL Center	Agency which addresses needs of Qualified Populations: Homeless, At-Risk & Other	Discussions with Director/ Survey Distribution Center	Need for additional funding to continue food pantry and senior services.
Auburn Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Police Chief	Department needs greater assistance to comply with new Homelessness Crisis Protocol. Additional Co-responders with mental health, substance abuse or housing focus will provide for better incident outcomes and follow-up services.
Community Concepts Inc.	Agency which addresses needs of Qualified Populations: Homeless, At-Risk & Other	Consultation with Program Director	Discussed needs of QPs and current Emergency Rental Assistance counts and program sunset concerns.
Community Concepts Finance Corp	Agency which addresses needs of Qualified Populations: Homeless, At-Risk& Other	Discussions with Program Manager and review of Community Needs Assessment.	Needed increase in homeownership counseling and financial capability training for tenants to move into homeownership. Establish referral network for new tenants and tracking of completed educational opportunities.
Auburn Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Fire Chief	Direct data points indicating 34% increase in interactions with Homeless individuals & 87% dealing with substance abuse, mental health and exposure. Additional co-responder and follow up services is needed.
Auburn Adult Education	Agency which addresses needs of Qualified	Consultation with Assistant Director	Additional funding and services are needed for continued educational and job preparedness training. This includes transportation services to

	Populations: At-Risk & Other		and from training and early work-placement programs.
New Auburn Neighborhood Watch	Neighborhood group	Meeting on 4/28/22	18 residents attended. Comments supporting section 8 voucher program, question on how to achieve local adult homelessness counts, cost savings if city consolidated shelter programs.
Androscoggin Head Start	Agency which addresses needs of Qualified Populations: At-Risk & Other	Survey Distribution Center	Need to fill gaps for middle income residents and support services for LMI families and single parents.
Lewiston Housing Authority	Public Housing Agency	Consultation with HUB Coordinator	Need to integrate local actions and activities with the COC. HUB Coordinator cannot provide direct service. Case management needed to better count and facilitate services.
Lewiston Homelessness Committee	Organization addressing Fair Housing, Civil Rights and/or needs of persons with disabilities	Consultation with Committee Chair	Discusses options for transitional housing development as well as zoning and shelter options.
Veterans Inc.	Veterans Group	Consultation with Staff Grantwriter	Not enough resources to meet the increased number of homeless or at-risk veterans with their pandemic-related federal financial assistance ending in July of this year. Funding needed to supplement homeless veterans transitional housing programs as well as increased operational costs. Seeing a 17% increase in veterans served in transitional housing program so far this program year.
Preble Street Veterans Services	Veterans Group	Consultation with staff	Provided feedback regarding housing service needs and latent job training opportunities.
Emergency Quarantine Shelter	Homeless Service Providers	Consultation with Managers – 3/17/22	Current service data on population counts and demographics. Recommends additional transitional housing and low barrier shelter development.
Trinity Jubilee Shelter	Homeless Service Providers	Consultation with Executive Director	Not enough housing to use with vouchers; not enough readily accessible mental health case

			management services, program expansion estimated to serve at least 50 people per year; accessible overnight shelters that do not require guests to climb stairs to enter building and/or sleeping area; need for trainings relating to de-escalation and incentives to serve the mentally ill; need for shelters to participate in HMIS to provide robust, accurate data, offer proof of the scale of the homelessness issue, and possibly increase funding for homeless services; need for public restrooms/showers that would likely be used by more than 60 homeless people per year; and need for laundry access for at least 75 homeless people per year wash clothing and bedding.
New Beginnings	Homeless Service Providers	Feedback from Executive Director	Not enough services – shelters or housing – available to help youth exit homelessness. Funding needed for additional staffing positions for existing services; creation of new or expansion of existing support services facilities to address non-daytime weekday needs and service of individuals who are excluded by current age or other restrictions in existing programming. Significant unmet need for a) affordable housing; b) support services; and c) shelter resources.
Lewiston School Department	Agency which addresses needs of Qualified Populations	Consultation with District Resource Coordinator	Approximately 300 youth are identified as homeless or at risk for experiencing housing disruption. The Store Next Door provides hygiene items, clothing, food, gift cards for cabs/groceries, and school supplies which are funded with community donations. Funding needed to expand program offerings.
Pinetree Legal	Organization addressing Fair Housing, Civil Rights and needs of	Consultation regarding Fair housing	Direct discussions and resource development regarding fair housing services and legal aid.

	persons with disabilities.		
Androscoggin EMA	Agency which addresses needs of Qualified Populations: At-Risk	Consultation with County EMA Director	EMA has new directives on development of Emergency housing plans. Shared quantified data on estimated emergency shelter needs.
Safe Voices	Domestic Violence Service Providers	Consultation with Director of Shelter and Housing Services	Provided data on sheltered counts and local unmet demand. Support if housing in the form of security deposits and housing resources is needed.
Lewiston Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Fire Chief	Most frequent adverse housing events are unsafe housing and sanitary issues for persons housed in units that are not suited to their physical conditions. Lack of housing for physically impaired persons. Long waitlist for Section 8 and other government assistance.
Lewiston Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Police Chief	Better funding is needed to provide resources to the homeless population, including better services for mental health, substance misuse, and housing. Project Support You (PSY) has 1 1/2 positions and needs the other half position funded to provide additional on-scene crisis de-escalation and mental health resources, connect individuals with ongoing treatment options, and resources to officers to address crisis calls. Funding is needed for counseling resources to address current legislation directing law enforcement to encourage counseling and resources versus arrest or issuing citations. Other needs include reimbursement for emergency hotel vouchers (weekends/holiday); wrap-around services inclusive of a temporary shelter, drug/substance abuse counseling, and shelter for those seeking protection from an abuser; affordable housing; and support for those experiencing substandard rental units.

LA Housing System Collaborative	Organization addressing Fair Housing, Civil Rights and needs of persons with disabilities.	Community Discussion Forum - 5/3/22	Worked with other housing system stakeholders to develop new structures and systems for inter-organizational communication and coordination.

Summarize feedback received and results of upfront consultation with these entities:

Through this consultation process the ALHC identified early on that the traditional assessments and sources of data would not adequately demonstrate a modern GAP analysis for the identified Qualified Populations (QPs) for two specific reasons. First, traditional sources of data, such as the American Community Survey (ACS) or the Comprehensive Housing Affordability Strategy (CHAS) were most recently completed in 2019-20, prior to the onset of the Covid-19 pandemic. Second, the ongoing impact of the Covid-19 pandemic has negatively impacted more recent efforts to update this traditional data, including regional Point in Time (PIT) studies. Many of these annual studies have been put on hold altogether, or recent surveys have demonstrated detrimentally small respondent numbers.

For example, the scope of the 2021 Point-in-Time Youth Addendum Survey conducted by MSHA was reduced to only 25 individuals due to the Covid-19 pandemic. This survey sample represents only 0.4% of the number of homeless clients MSHA recorded as sheltered in the 2020 statewide counts. Further, through direct consultation with the local School Department 69 Auburn and 196 Lewiston homeless students within the district have already been qualified as of March 2022, with another 20 cases still being confirmed. The current year combined totals of McKinney-Vento qualified students between both Auburn and Lewiston school systems are already in excess of 265. This is, according to the direct service providers consulted in the development of this plan, still the tip of the unmet need iceberg.

The second apprehension with current statewide data points is the waiver to skip the current year unsheltered population counts. Attempting to develop an emergency service plan to address the needs of the increasing homeless and at-risk population while waiving the continued collection of data is problematic. Firstly, without consistent measurements any new data points have no baseline for change which can reasonably be relied upon. For example, Maine's Plan to End & Prevent Homelessness as amended in 2017 estimates the population statewide at 7,020 based on HMIS data and asserts that 98% of those are currently serviced within shelters. This data was updated again in 2021 within the Homeless System Re-Design Initiative. This final report and recommendations are based on a total, statewide population in need of only 4,497. This 36% reduction in need is directly contradictory to local data recently collected. What this data does show is that the current shelter and transitional housing system is clogged with current residents and service recipients which are unable to exit the subsidized housing system and related services.

By using data generated by the Auburn Fire Department's incident reporting system the ALHC confirmed officers had 198 separate encounters with homeless individuals from March 2020 to March 2022 with the second year containing 113 recorded encounters. This establishes a 34% increase from the previous year, a relation directly inverse to the trend demonstrated by state-level assessments. The ALHC understands this count does not establish a more accurate total, nor

does it include all potential homeless or at-risk populations. What it does do is further corroborate the view statewide data, as compiled by MSHA, is insufficient to assist if not detrimental to the development of a true needs-based plan.

What is more useful to establishing priorities within the Auburn-Lewiston Consortium is data generated locally and what can effectively incorporate these new data sources including first responders and volunteer program services. For example, of the 51 contacts with homeless individuals that the Auburn Fire Department serviced in the last 3 months, 87% if those involved substance abuse, Anxiety/psychiatric individuals, or those with exposure to the elements. Not only does this total eclipse the PIT counts provided by MSHA, but clearly demonstrates the unsheltered population, which is currently not being counted, is suffering to the extent that EMTs from the local fire departments have to intervene on a routine basis to address the needs of this population, including substance abuse, mental health and exposure.

Unfortunately, after treatment these individuals are released back into the unhoused population with little to no follow-up support or continuation of services being provided. What is needed, and what this plan lays out for response, is the development of new field service providers whose roll will be to take these self-generated or referrals from first responders and provide the needed follow up and direct service care in order to address the un-met needs of unhoused populations with the end result to facilitate the client's transition into the Coordinated Entry (CE) system either via the HUB Coordinator or the housing navigators housed within one of the specialty service providers.

There has been substantial evidence that the local homeless service providers are not committed to utilizing the HMIS system which MSHA relies on to compile their counts. In response, this plan outlines a dedicated pre-entry and co-responder system that can count, assess, and serve the unsheltered population where they are with an end goal of referring them to the most appropriate service providers and Housing Navigators that can best meet their needs.

Public Participation

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice: 7/14/2022***
- ***Public comment period:*** *start date –* ***7/14/2022*** *end date –* ***8/1/2022***
- ***Date(s) of public hearing: 8/1/2022***
  5/2/2022

Describe the public participation process:

Traditional public participation process, including posting of the proposed plan in its entirety, holding public hearings and public comment period have been expanded to additionally include multiple community outreach efforts as documented above. ALHC staff sent direct requests to area service providers which highlighted all of the potential uses of the program funds and outlined the qualified populations. Staff also conducted multiple listening sessions within both cities hosted at city council meetings, neighborhood

watch events and housing focused meetings. The efforts to broaden this participation from the mandated minimum will be more thoroughly described below.

Evidence of public posting and appeals for input is included below:

PUBLIC NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until August 1, 2022. Comments may be submitted to CDBG@auburnmaine.gov, delivered in person to the Business & Community Development Office, or offered at a Public Hearing to be held on August 1, 2022.

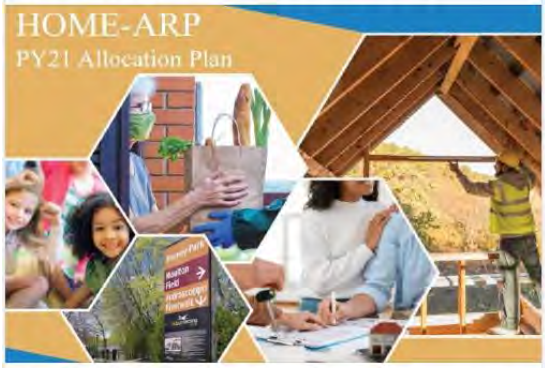
Printed copies, translations and accommodations can be requested by emailing CDBG@auburnmaine.gov or calling the Community Development Office at (207) 333-6601

View the plan at AuburnMaine.gov or scan the QR code below to download:

City of Auburn, Maine (Official)
July 14 at 3:53 PM ·

The Auburn-Lewiston HOME Consortium presents their HOME-ARP Plan. This plan spells out how HOME-ARP funds (provided by the U.S. Department of Housing & Urban Development) will be used to provide homelessness assistance and supportive services.

Prior to submitting this plan to HUD, the consortium must provide an opportunity for public comment. Comments can be submitted to CDBG@auburnmaine.gov, delivered in person to the Business & Community Development Office, or offered at ... See more



2 2 Comments 3 Shares

Like Comment Share

All comments

Patrisa Philips
Homelessness across the US is increasing. It's almost doubled in Maine from last year. Many factors contribute to that. You have to separate the various causes, i.e. mental illness, lack of education/skills, poor paying jobs, education on family planning (too many single parents, immediate reliance on government assistance for children), drug addiction. Of course no one wants people to be unsafe and w/o a roof over their head. But where are the plans to lower the rate of homelessness thru education, better liveable wage jobs, drug addiction and mental illness facilities, etc? I have no issue with tax dollars assisting society but I do with money just be thrown at a problem w/o solutions to decrease the cause of the problem.

3d Edited

Maximus Guida Magnus
"HOME-ARP funds (provided by the U.S. Department of Housing & Urban Development)"

Incorrect. Provided by the taxpayer. That is where HUD gets its money from. Tired of seeing the impression given that it doesn't cost each and every working person. ALL funds coming from a government entity are TAXPAYER money.

3d

Senior Center

P.A.L. Center

Auburn Public Library

Auburn Housing

Auburn City Hall

Market Update

Stock questions or requests? Contact Mark Mogensen at mmogensen@sunjournal.com or call 689-2805.
Market Indicators are at the top of Page B4

	symb.	close	change
3M COMPANY	MMM	$136.13	+1.62
Abb Ltd	ABB	$28.93	+0.60
ABBOTT LAB-	ABT	$108.77	+3.06
ABBVIE INC.	ABBV	$153.49	+3.05
ACCENTURE	ACN	$271.52	+2.85
ACCO BRANDS	ACCO	$6.83	+0.14
AG MORTGAGE	MITT	$7.35	+0.24
AGREE REALTY	ADC	$74.76	+1.34
Algonquin Power	AQN	$13.30	+0.22
THE ALLSTATE	ALL	$122.40	+1.46
ALPHABET INC.	GOOG	$2,265.34	+28.64
ALPHABET INC.	GOOGL	$2,235.65	+28.20
ALTABA INC.	AABA	$72.90	-0.87
Altria Group, Inc.	MO	$41.99	+0.38
AMARIN COR-	AMRN	$1.35	-0.07
AMAZON.	AMZN	$113.55	+2.92
AMEREN	AEE	$87.75	+0.70
AMERICAN AIR-	AAL	$14.47	+0.22
AMERICAN	AEP	$95.22	+0.95
AMERICAN EX-	AXP	$142.46	+0.00
American Funds	AGTHX	$62.73	+1.07
American Funds	AMECX	$23.00	+0.24
American Funds	FRACX	$22.86	+0.25
American Funds	AWSX	$40.04	+0.78
American Funds	AMWPX	$46.74	+0.86
American Funds	AWSHX	$50.88	+0.95
AMERICAN	AIG	$50.09	+1.66
SMITH &	SWBI	$13.15	+0.15
AMERICAN	AXE	$67.75	+0.70
AMERIPRISE	AMP	$230.33	+7.21
AMG GW&K ESG	MGFIX	$22.07	+0.10
AMGEN INC.	AMGN	$248.59	+3.10
ANNALY	NLY	$8.17	+0.13
ELEVANCE	ELV	$468.92	+22.53
APA CORPORA-	APA	$31.99	+0.41
APOLLO	APO	$60.85	+2.18
APOLLO IN-	AINV	$11.12	+0.11
APPLE INC.	AAPL	$150.17	+1.70
APPLIED MA-	AMAT	$94.47	+2.60
ARCHROCK	AROC	$7.86	+0.09
ARENA PHAR-	ARNA	$99.99	
ARES CAPITAL	ARCC	$18.96	+0.22
Arlington Asset	AAIC	$3.06	+0.03
AT&T INC.	T	$20.57	+0.24
ATMOS ENERGY	ATO	$111.90	+0.98
AUTOMATIC	ADP	$214.13	+2.93
Avangrid, Inc.	AGR	$45.52	+0.55
AWS BLUDGET	CAR	$151.76	+0.76
B&G FOODS,	BGS	$23.50	-0.21
BAKER HUGHES	BKR	$26.56	+0.34
BALL COR-	BALL	$86.66	-0.17
Banco Santander	SAN	$2.34	+0.03
BANK OF	BAC	$32.29	+2.16
THE BANK OF	BK	$43.41	+2.97
St. James Gold	LORD	$0.44	
BARRICK GOLD	ABX	$20.46	-0.27
BASSETT	BSET	$22.69	+0.18
BAXTER INTER-	BAX	$84.91	+1.49
BCE Inc	BCE	$46.79	-0.05
CRAFTPORT	CPT	$0.05	-0.01
Best Buy Co.,	BBY	$72.47	+1.33
BHP GROUP	BHP	$49.26	+1.04
BIOGEN INC.	BIIB	$217.01	+2.74
BIORESTOR-	BRTX	$3.05	+0.03
BLACK HILLS	BKH	$72.36	+0.95
BLACKBER-	BB	$6.78	+0.19
BLACKROCK,	BLK	$600.37	+11.74
BlackRock Muni	BLE	$11.29	-0.03
Blackstone Inc	BX	$93.05	+3.40
THE BOEING	BA	$147.75	+0.66
BORGWARNER	BWA	$33.65	+0.61
BOSTON PROP-	BXP	$97.39	+1.62
BOSTON	BSX	$37.20	+0.49
BP P.L.C.	BP	$26.56	+0.54
Brighthouse	BHF	$40.08	+1.11
BRISTOL-MY-	BMY	$75.88	+1.67
BROADRIDGE	BR	$149.32	+2.53
CALAMRIUS	CLBS	$0.54	-0.00
CALLON	CPE	$37.35	+1.18
CALUMET	CLMT	$10.51	+0.72
CAMDEN	CAC	$43.91	+1.20
CAMDEN PROP-	CPT	$132.08	+1.58
CANADIAN	CNQ	$47.36	+0.558
CAPRAL LIMIT-	CAA	$7.56	-0.06
CARDINAL	CAH	$56.21	+1.16
THE CARLYLE	CG	$32.02	+1.49
CATERPILLAR	CAT	$173.38	+3.44
CEDAR FAIR	FUN	$40.11	-0.06
Celgene Corp	CELG	$2,099.33	+5.23
CEMEX PUB.	CX	$3.90	+0.13
Genesis Energy	CVE	$18.36	+0.45
CENTRUS	LEU	$27.95	+1.15
LUMEN TECH-	LUMN	$10.77	+0.14
CHENIERE	LNG	$124.17	+0.29
CHESAPEAKE	#FELDI	$3.05	+0.05
CHEVRON	CVX	$137.55	+1.71
CHIMERIA	CIM	$9.11	+0.17
China Mo-	CHL	$27.66	+1.63
Chubb Ltd	CB	$184.19	+0.67
CIGNA COR-	CI	$274.11	+9.20
CISCO SYS-	CSCO	$43.07	+0.74
CITIGROUP INC.	C	$49.90	+5.70
THE CLOROX	CLX	$146.61	+1.09
THE COCA-CO-	KO	$62.63	+0.45
COEUR MINING	CDE	$2.75	-0.01
COGNEX	CGNX	$45.26	+1.56
COLGATE-PAL-	CL	$76.02	-0.32
COMCAST	CMCSA	$40.90	+1.32
CONAGRA	CAG	$33.73	+0.58
COND-	CDP	$83.37	+1.76
CONSOLIDATED ED	ED	$93.40	+0.56
CONSOLIDATED-DWCO		$14.25	+0.25
Core Laborato-	CLS	$15.88	+0.48
CORNING IN-	GLW	$33.20	+1.21
Cracker Barrel	CBRL	$90.79	+2.41
CSI COM-	CCLP	$1.21	+0.01
CSX Corporation	CSX	$29.86	+0.09
CTI BIOPHARMA	CTIC	$0.57	+0.25
CUMMINS INC.	CMI	$198.36	+1.53
CVR ENERGY	CVI	$30.29	+1.12
CVR PARTNERS	UAN	$96.86	+4.21
CVS HEALTH	CVS	$95.62	+2.79
D.R. HORTON,	DHI	$73.50	+0.86
Mercedes-Benz	DDAIF	$53.36	+1.86
HaliosX Lithium	HX	$0.51	+0.04
DEERE & COM-	DE	$297.66	+3.39
DELUXE COR-	DLX	$21.47	+0.82
DEVON ENERGY	DVN	$52.59	+1.17
DIEBOLD	DBD	$9.09	+0.28
DIGITAL REALTY	DLR	$126.96	-0.06
Aduro Clean	ACT	$0.78	-0.01
DISCOVER	DFS	$104.09	+4.78
DOLLAR TREE,	DLTR	$107.96	-0.86
Dominion Energy	D	$79.20	+0.43
Dow Inc.	DOW	$49.55	+0.05
DUKE ENERGY	DUK	$107.43	+0.46
DUKE REALTY	DRE	$57.03	+1.44
DuPont de	DD	$54.60	+1.11
DYNEX CAPITAL	DX	$16.54	+0.29
EATON COR-	ETN	$128.09	+3.66
Eaton Vance	EOI	$15.26	+0.27
Eaton Vance	EAGMX	$7.88	-0.02
Eaton Vance	EVF	$5.82	+0.21
Eaton Vance	ETG	$16.14	+0.37
Eaton Vance	EXG	$8.10	+0.13
EBAY INC.	EBAY	$43.61	+1.58
ECA SA SPAR-IS	ECASA	$22.50	+0.40
ELI LILLY AND	LLY	$231.60	+4.71
EMERSON	EMR	$79.00	+1.93
EMIRA PROP-	EMI	$979.00	+19.00
Enbridge Inc.	ENB	$41.59	+0.49
ENTERGY	ETR	$110.12	+0.37
ENTERPRISE	EPD	$24.52	+0.05
Essential	WTRG	$47.52	+0.95
Eversource Ener-	ES	$83.66	+0.18
Exacompta	ALEXA	$135.00	+1.00
EXELON COR-	EXC	$44.23	+0.08
EXXON MOBIL	XOM	$84.49	+1.36
Meta Platforms,	META	$184.70	+0.86
FARMER BROS.	FARM	$4.81	+0.22
FARMLAND	FPI	$13.74	+0.30
FEDERAL HOME	FMCC	$0.65	+0.05
FEDERAL	FNMA	$0.85	+0.02
FEDEX COR-	FDX	$217.77	-3.46
Fidelity Acsat	FASGX	$23.77	+0.32
Fidelity Balanced	FBALX	$25.14	+0.27
Fidelity Capital &	FAGIX	$9.12	+0.07
Fidelity Contra-	FCNTX	$13.56	+0.29
Fidelity Govern-	FGOVX	$9.83	+0.03
Fidelity Growth &	FGRIX	$45.73	+1.09
Fidelity Now	FNMIX	$11.06	+0.01
Fidelity Value	FDVLX	$12.56	+0.25
First Eagle Global	FEGOX	$54.06	+0.87
FIRSTENERGY	FE	$37.47	+0.10
FLOWERS	FLO	$27.06	-0.10
FLY LEASING	FLY	$17.03	
FOOT LOCKER,	FL	$25.55	+1.35
FORD MOTOR	F	$11.90	+0.51

	symb.	close	change
IMMUCELL	ICCC	$6.39	-0.36
INTEL COR-	INTC	$34.52	+0.91
InterDigital, Inc.	IDCC	$61.85	+0.90
INTERNATIONAL	IBM	$139.75	+0.59
INTERNATIONALP	IP	$41.92	+0.14
INTUITIVE	ISRG	$210.92	+8.61
OLD COPPER	CPPRQ	$0.13	+0.00
JETBLUE	JBLU	$9.10	+0.19
J Iamcook	PDT	$13.79	+0.19
JOHNSON &	JNJ	$176.23	+2.55
JPMORGAN	JPM	$113.38	+0.38
KELLOGG COM-	K	$72.46	-0.41
KEYCORP	KEY	$17.52	+0.89
KINDER MOR-	KMI	$16.75	+0.17
KKR & CO. INC.	KKR	$48.24	+2.41
KOHL'S COR-	KSS	$28.23	+1.27
Koninklijke Ahold	ADRNY	$28.25	+0.45
KYNDRYL	KD	$9.36	-0.10
THE KRAFT	KHC	$38.01	-0.75
LAM RESEARCH	LRCX	$427.13	+7.81
LAS VEGAS	LVS	$24.25	
LLOYDS BANK-	LYG	$1.98	+0.07
LOCKHEED	LMT	$396.38	-1.93
Lundin Mining	LUNMF	$6.59	+0.15
M&T BANK	MTB	$156.21	+5.64
MAGELLAN	MMP	$49.08	+0.54
MANULIFE FI-	MFC	$16.93	+0.21
MARATHON OIL	MRO	$20.85	+0.44
MARVELL TECH-	MRVL	$48.22	+1.11
MASTERCARD	MA	$332.57	+7.54
MCCORMICK	MKC	$81.74	-0.89
MCDONALD'S	MCD	$266.03	+2.43
MCKESSON	MCK	$330.00	+3.51
MEDICAL	MPW	$15.78	+0.23
MEDTRONIC	MDT	$89.36	+1.85
MELCO	MLCO	$4.85	+0.04
MERCK & CO.,	MRK	$84.64	+1.06
METLIFE, INC.	MET	$59.03	+1.12
MGM RESORTS	MGM	$29.23	+0.80
MICRON TECH-	MU	$51.53	+2.18
MICROSOFT	MSFT	$258.72	+2.84
MICROSOFT	MSFT	$256.72	+2.84
MSCNIX, INC.	MSON	$26.54	+1.20
Mondelez in-	MDLZ	$60.74	-0.14
MORGAN STAN-	MS	$77.52	+2.83
THE MOSAIC	MOS	$45.02	+1.35
MOTOROLA	MSI	$215.02	+5.25
MPLX COM UNT	MPLX	$29.64	+0.45
MUELLER	MWA	$11.66	+0.20
NABORS IN-	NBR	$103.81	+2.89
NATIONAL FUEL	NFG	$64.26	+0.51
NATIONAL	NGG	$66.29	+0.67
NATIONAL	NNN	$44.34	+1.35
NATURAL	NRP	$39.22	+0.02
Nestle Ltd. (OTC-	NSRGY	$117.58	+2.27
NETAPP, INC.	NTAP	$65.95	+0.90
NETFLIX, INC.	NFLX	$180.11	+14.33
NEW YORK	NYMT	$2.62	+0.06
New Market	NEU	$301.97	+0.94
NEXTERA	NEE	$79.59	-1.54
NISOURCE INC.	NI	$28.78	+0.67
Nokia Corpora-	NOK	$4.80	-0.14
NORDIC AMER-	NAT	$2.15	+0.09
NORFOLK	NSC	$227.89	+5.19
NORTH-	NBN	$37.99	+0.87
NORTHROP	NOC	$461.20	+2.21
NOVAGOLD RE-	NG	$4.49	+0.04
NOVANIX, INC.	NMIX	$64.40	+2.81
Nutrien Ltd.	NTR	$73.25	+1.35
NYSE COM-	NYA	$14,449.86	+278.44
Obsidian Energy	OBE	$0.65	+0.15
OCCIDENTAL	OXY	$59.12	+1.89
Olin Corporation	OLN	$45.44	
OMEGA	OHI	$30.40	+0.81
ON SEMI-	ON	$56.07	+2.02
ONEOK, INC.	OKE	$65.70	+0.85
ORACLE COR-	ORCL	$70.74	+1.29
PACCAR INC.	PCAR	$80.05	+0.97
PAYCHEX, INC.	PAYX	$115.00	+1.86
PENN NATIONAL	PENN	$31.40	+2.26
PEPSICO, INC.	PEP	$171.12	+0.14
Brazilian Petro-	PBR	$11.23	+0.33
PFIZER INC.	PFE	$51.75	+0.36
Philip Morris	PM	$90.16	+0.66
PHILLIPS 66	PSX	$81.54	+3.09
PINNACLE	PNW	$73.74	+0.32
PITNEY BOWES	PBI	$3.86	+0.15
THE PNC FINAN-	PNC	$153.42	+2.46
Polaris Inc.	PII	$107.66	+0.39
POTLATCH-	PCH	$45.24	+0.87
PPG INDUS-	PPG	$116.80	+1.96
PPL CORPORA-	PPL	$27.53	+0.41
PRINCIPAL	PFG	$72.50	+1.58
Principal Diver-	PGBAX	$12.04	-0.04
THE PROCTER &	PG	$145.02	-0.25
PRUDENTIAL	PRU	$92.35	+1.82
PUBLIC SER-	PEG	$60.56	+0.21
PUDO INC.	PDO	$1.32	+0.10
PVH CORP	PVH	$59.97	+1.65
QORVO, INC.	QRVO	$109.18	+1.79
QUALCOMM	QCOM	$144.37	+2.47
RAYONIER INC.	RYN	$34.45	+0.07
Raytheon Co	RTN	$115.96	-5.47
RAYTHEON	RTX	$91.23	+1.15
Real Time Fi em		$582.61	+0.54
REALTY	O	$69.91	+1.46
RELIV' INTER-	RELV	$5.50	
RITE AID COR-	RAD	$8.79	+0.29
ROCKWELL AU-	ROK	$206.35	+5.87
RPM INTERNA-	RPM	$81.94	+0.37
Schlumberger	SLB	$32.27	+0.94
Seadrill Limited	SDRLF	$0.14	+0.01
SEAGATE	STX	$77.58	+2.00
SEARS HOLD-	SHLDQ	$0.15	-0.04
SEQUENTIAL	SQBGQ	$0.00	
THE SHER-	SHW	$246.61	+2.07
SIMON PROP-	SPG	$96.36	+2.36
Sino-Garman	SGU	$0.80	+0.13
SIRIUS XM	SIRI	$6.35	+0.06
Smartshares US	USG	$7.09	+0.03
SNAP-ON IN-	SNA	$196.65	+0.61
THE SOUTHERN	SO	$72.33	+0.47
SOUTHERN	SCCO	$49.64	+0.70
Sprint Corp	S	$8.62	+0.18
THE ST. JOE	JOE	$39.57	+0.80
STANLEY	SWK	$107.13	+1.02
STARBUCKS	SBUX	$79.02	+1.40
STATE STREET	STT	$65.67	+5.83
STEEL DY-	STLD	$67.06	+1.13
STONER	SYK	$194.78	+2.36
STURM, RUGER	RGR	$62.85	+0.37
SUBURBAN	SPH	$15.89	-0.08
SUNCOR	SU	$30.19	+0.88
SUNRAWN STEVA	SUWN	$0.01	+0.00
SYSCO COR-	SYY	$87.62	+0.86
Taiwan Semicon-	TSM	$85.59	+1.92
TARGET COR-	TGT	$148.60	+0.51
Telefonica SA	TEF	$4.75	-0.02
Telekom Austria	TKAGY	$12.39	
Templeton World	TEMWX	$11.77	+0.23
TESLA, INC.	TSLA	$720.20	+5.26
TEVA PHAR-	TEVA	$7.01	+0.12
TEXAS IN-	TXN	$180.54	+2.89
THE TORON-	TD	$80.53	+0.85
TotalEnergies SE	TTE	$47.93	+1.83
TOYOTA MOTOR	TM	$156.70	+3.98
Transocean Ltd	RIG	$2.53	+0.12
The Travelers	TRV	$158.19	+0.50
TWITTER, INC.	TWTR	$37.74	+1.45
U.S. BANCORP	USB	$46.57	+2.32
U.S. SILICA	SLCA	$10.22	+0.25
UGI CORPORA-	UGI	$40.34	+0.42
ULTA BEAUTY,	ULTA	$397.24	+11.66
UNION PACIFIC	UNP	$209.13	+3.61
UNITED	UAHC	$2.03	
UNITED PARCEL	UPS	$181.72	+3.44
United States	USNG	$24.26	+1.56
United States	USO	$73.75	+0.90
UNITEDHEALTH	UNH	$534.51	+27.06
Until Corporation	UTL	$59.85	+0.85
UNIVERSAL	UVV	$51.90	+1.10
UNUM GROUP	UNM	$25.15	+0.47
USA COMPRES-	USAC	$17.53	+0.26
Vale SA	VALE	$12.05	+0.10
VALERO	VLO	$104.55	+3.78
Vanguard 500	VFIAX	$350.75	+6.72
Vanguard Cap-	VHCOX	$86.75	+1.40
Vanguard Div-	VDIGX	$34.03	+0.53
Vanguard Equity	VEIPX	$40.31	+0.71
Vanguard Health	VGHCX	$265.14	+4.52
Vanguard Mid-	VIMSX	$63.47	+0.50
Vanguard Select-	VASVX	$26.04	+0.44
Vanguard	VWIAX	$62.56	+0.53
Vanguard	VWINX	$25.82	+0.22
Vanguard Wel-	VWELX	$40.15	-0.24
VENTAS	VTR	$53.01	+0.41

AUBURN TRAFFIC ADVISORY

EMILY'S RUN IS SUNDAY

AUBURN — Race two of this year's Greater L-A Triple Crown 5K Series will be held Sunday.

Emily's Run will kick off at 8:30 a.m.

The course, which begins and ends at Edward Little High School on Harris Street in Auburn, is considered moderately hilly. Runners will leave the high school, turn right on Western Avenue, left on Court Street, right on Park Avenue, right on Gamage Avenue, and right on Shepley Street. They will go left on Lake Street, right on Fern Street, left on Granite Street, right on Court Street and left on Harris Street, heading back to the high school.

MORE ONLINE
Visit sunjournal.com to view a map detailing the course for Emily's Run.

Motorists are urged to be patient when passing runners, or to seek alternative routes.

Emily's Run is organized in memory of Emily Fletcher, who had been a standout runner while attending Edward Little High School. She died in a car accident in 2004.

All proceeds benefit the Fletcher Foundation, which will give two $1,000 scholarships to deserving Edward Little students in her name, as well as donations to the Auburn Public Library, the Auburn Nordic Ski Association, the Stanton Bird Club, and the Androscoggin Land Trust.

Event day registration is $25; free for all children ages 14 and younger.

For more information or to register online, go to: triplecrown5k.com/emilys-run/race-information/.

Otisfield man denies child porn charges

By Christopher Williams
SUN JOURNAL

PORTLAND — An Otisfield man who had worked at a summer camp and a day care center denied Friday three federal felony charges, including sexual exploitation of a minor.

Travis Kimball, 21, appeared in U.S. District Court remotely by videoconference from his home Friday morning to answer to the charge of sexual exploitation of a minor, a crime punishable by 15 to 30 years in prison.

He also was charged with distribution of child pornography, a crime punishable by five to 20 years in prison.

The third charge, possession of material containing images of child pornography, carries a maximum penalty of 10 years in prison.

He pleaded not guilty Friday to all three charges.

Kimball was indicted on the three charges by a federal grand jury July 7.

U.S. District Court Magistrate Judge Karen F. Wolf asked Kimball whether he understood the charges and possible penalties if he were convicted.

He said he did.

The case is scheduled for trial in September.

Kimball is a former employee at Camp O-AT-KA in Sebago and Kid Quarters Child Care Center in New Gloucester.

A special agent at the Federal Bureau of Investigation wrote in court documents that Kimball had subscribed to a messaging application that allows users of mobile devices to send texts, photographs and videos and engage in chat groups.

The app "maintains a distinctive emphasis on privacy and anonymity and was originally targeted towards younger users," Morin wrote.

On June 7, an app user who would later be identified as Kimball, sent a message to an undercover FBI task force officer and the two messaged back and forth, Morin wrote.

The FBI agent asked Kimball to send a photo of himself, which he did, according to Morin.

Kimball also sent the undercover agent three photos, each one of a man and a prepubescent boy engaged in sexual displays as well as a video of a similar nature, Morin wrote.

Through cellphone records, agents tracked down Kimball and identified him by the photos he sent of himself to the undercover agent, according to the affidavit. He later confirmed with agents that he was the man pictured in that photo.

Agents seized the cellphone Kimball was carrying and he was arrested.

Kimball is free on an unsecured $10,000 bond and confined to his home except for work, education, religious services and legal and medical appointments.

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Police charge Lewiston man, 37, after reported shooting Friday morning

SUN JOURNAL STAFF REPORT

LEWISTON — A King Avenue man was arrested Friday morning after a reported shooting incident near his home.

Police arrested Jason Payer, 37, of 57 King Ave., on charges of reckless conduct with a firearm, felony possession of methamphetamine and violating conditions of release from prior arrests.

About 8:35 a.m. police responded to a report of a shooting on King Avenue, according to a statement from Lewiston police. About 10:15 a.m., police were seen putting a handcuffed man into a police car. At that time, several police cars filled a section of the short residential street that runs between Main Street and Mollison Way.

An officer at the scene said, "We got a call, it's still an active investigation, and there's no threat to the public at this point. And we will put out a statement in about an hour or two."

Shortly after noon, police announced they had charged Payer. They said Payer was on "three sets of conditions of release from prior arrests." He was being held without bail Friday afternoon at the Androscoggin County Jail in Auburn.

The police statement said an investigation is ongoing.

"There were no injuries, and there is no further threat to the public," the statement said.

No additional details on the incident were available.

LEGAL AND PUBLIC NOTICE

Notice to contractors, labor unions and private individuals.

The city of Auburn, Maine intends to solicit assistance from the Department of Defense's Innovative Readiness Training Program. The request will include all site work for the proposed athletic fields at **Stevens Mill Rd/PID 217-002** scope of work includes vertical and horizontal construction, cutting trees, grubbing, excavation, grading, trenching, site layout, stumping, hauling material, stockpiling material, earthwork, culvert, underdrain, catch basins, manholes, sewer and water service pipes, and conduit installation. Ditching, rip-rap, topsoil, sand, subgrade and surface gravel installation and compaction, stormwater pond and concrete pad installation, stick build (wood framing) of a concession stand, and pull in for electrical and plumbing. Providing approval, the proposed assistance will take place in the city of Auburn, Maine in 2023. Contractors, labor unions, or private individuals who have questions or wish to voice opposition to military assistance for this project may contact Marc Gosselin, Executive Director of Community Partnerships and Sport Tourism for the city of Auburn at 207-333-6688 ext. 2114 or by email at marc.gosselin@auburnmaine.gov or by mail at 985 Turner Street, Auburn, Maine 04210. Persons not filing comments within the time frame noted will be considered to have waived their objections to military assistance for the project.

NOTICE OF PUBLIC HEARING
Mechanic Falls Sanitary District
Monday, July 18, 2022 @ 6:00 PM
at Mechanic Falls
Sanitary District

The Mechanic Falls Sanitary District Board of Trustees will hold a public hearing for discussion of the proposed rate schedule beginning October 1, 2022.

PUBLIC NOTICE

Notice to contractors, labor unions and private individuals.

The Maine Veterans' Memorial Cemetery intends to solicit assistance from the Department of Defense's Innovative Readiness Training Program. The request will include the expansion of the Maine Veterans' Cemetery located on Mt. Vernon Road in Augusta, Maine to include earthwork, the construction of burial grounds, and roads throughout the cemetery.

Providing approval, the proposed assistance will take place at the Mt. Vernon Road Veterans' Cemetery in 2024.

Contractors, labor unions or private individuals who have questions or wish to voice opposition to military assistance for this project may contact Melissa Willette, Superintendent of the Maine Veterans' Cemetery System at 207-287-8830, melissa.willette@maine.gov, 163 Mt. Vernon Rd, Augusta ME 04330 no later than 15 days after publication of this notice. Persons not filing comments within the time frame noted will be considered to have waived their objections to military assistance for this project.

NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until August 1, 2022. Comments may be submitted to CDBG@auburnmaine.gov, delivered in person to the Business & Community Development Office, or offered at a Public Hearing to be held on August 1, 2022.

Printed copies, translations and accommodations can be requested by emailing CDBG@auburnmaine.gov or calling the Community Development Office at (207) 333-6601

View the plan at AuburnMaine.gov or scan the QR code to the right to download:

PUBLIC TIMED ONLINE AUCTION 22-72
RESTAURANT, LOUNGE & REFRIGERATION EQUIPMENT
ICE MAKER • 32-LANES OF BRUNSWICK BOWLING EQUIPMENT & FLOORING • PIN INVENTORY • MAINTENANCE EQUIPMENT & PARTS
EPSON PROJECTORS & POWERED SCREENS • AUDIO EQUIPMENT
AMERICAN DJ LIGHTING • PRO SHOP EQUIPMENT & INVENTORY
RENTAL SHOES & BALLS • BUILDING SALVAGE ITEMS
BAR LIGHTS • MIRRORS • COOKWARE
RE: ASSETS OF YANKEE LANES OF BRUNSWICK
ONLINE BIDDING BEGINS: SUN., JULY 17th AT 9AM
LOTS START CLOSING: MON., AUGUST 1st AT 1PM
VISIT KEENANAUCTION.COM FOR DETAILS!
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Keenan Auction Co., Inc. 2083 Congress Street Portland, ME 04102 207-866-6100 info@keenanauction.com
PREVIEW: MON., JULY 25th FROM 10AM-12PM AT 276 BATH RD., BRUNSWICK, ME
Our 50th Year & 8,453rd Auction.
Richard J. Keenan #236.

Real Estate Foreclosure Auction 22-69
Antique 5BR Cape - Barn - .80+/- Ac.
2793 Hallowell Rd., Litchfield, Maine

Responses to any public comments delivered will be entered here.

Describe efforts to broaden public participation:

Prior to the development of the Home-ARP and the Auburn-Lewiston HOME Consortium Annual Action Plan a comprehensive community needs survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received. This information, along with consultation efforts with area service provider partners helped craft the plan as presented.

The consultation process also entailed direct correspondence with dozens of area service providers. By educating them on the specifics of the qualified population as defined by HUD in CPD notice 21-10 this outreached further solicited quantifiable or anecdotal narratives which may serve to highlight unmet needs they regularly encounter.

Additionally, ALHC staff held listening session at multiple community neighborhood meetings and events as indicated above.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

Numerical data developed though the community survey will be summarized within the GAP analysis below. A selection of narrative input received during the local survey is included below. This input, sourced from over 1,000 households across two surveys, was key to filling data gaps caused by the Covid-19 pandemic and demonstrates the changed landscape residents and service providers need to navigate and adapt to in order to better address the needs of at-risk and homeless populations.

- The prices of housing has increased substantially. Between prices of rent and goods we can barely make ends meet.
- Public transportation is severely lacking in Auburn especially in the evening.
- Lack of home health care due to staffing shortages and issues around quality healthcare
- Loss of jobs due to school closure and lack of adequate affordable childcare.
- I’m on a fixed income and looking into elderly housing but the waiting lists are so long
- My father and brother are living with me because they cannot find housing.
- Can't afford car upkeep or bills
- Can’t access programs to help
- Don't have money for food medication and bill. Need help with property taxes
- I went to through the process the rent assistance is on average six to eight weeks late via community concepts. The landlords get frustrated and toss the clients even if they share the applications to the program.
- folks are taking their important items and moving into their vehicles and sleeping in parking lots around auburn where they won't be harassed. I know of at least 500

vehicles at least some are couch surfing when possible or in for medical reasons, so their cars are parked around the hospital.

- I have a son with a disability who currently lives an hour away. For safety reasons he needs to be closer to us. He is on a ridiculously long waiting list for low-income housing.
- Rising costs have put me back to living paycheck to paycheck and seeking a second job. Pre-covid I lived comfortably on my single income. The cost of food is outrages. I pay more for CMP delivery charges than I use in electric.
- There's a gap for kids who qualify for Headstart and those who don't. There is a long waitlist for many [childcare] providers.
- People don't know there's help out there and they are hard to navigate.
- People don't know about services. We have so many services, but they all work solo. None are working together.
- Covid-19 exacerbated food issues. People who were hurting are hurting more now.

Summarize any comments or recommendations not accepted and state the reasons why:

No comments or recommendations were intentionally dismissed. Some responses or recommendations derived either from the community surveys or through direct consultation with area service providers did contain demonstrations of unmet need which are unable to be addressed given the restrictions on funding availability or individuals whom do not fall within the Qualified Population as defined by HUD. In these cases, consideration is taken, and priority of funding is established as available.

Needs Assessment and Gaps Analysis

The Auburn-Lewiston Home Consortium includes the entirety of both cities. Much of the data provided at the state level is by Androscoggin County or as the Lewiston-Auburn Metropolitan Statistical Area LAMSA), which includes 12 surrounding municipalities. Both Auburn & Lewiston serve as a regional service HUB for the area meaning that even though HOME-ARP funds are designated for residents of the two cities, the needs of these cities is impacted by the spillover, or centralization of needs from the surrounding rural populations. The two emergency shelters recently operated in Lewiston during the Covid-19 pandemic corroborated this fact by reporting that 20% of their population cited towns outside of the PJ as their residence.

The American Community Survey (ACS) data calculated a total population of the jurisdiction as 59,425 in 2020. This accounts for 53% of the population of the entire county of Androscoggin being housed on only 20% of the total area. For this reason, and as further demonstrated by residency data provided by the two Emergency Shelters, this plan takes into account the expected spillover of needs from the total LAMSA. An additional concern with the data utilized is that the county level data provided by MSHA is still derived from the 2015-2020 American community survey. Most of this data provided by ACS was compiled pre-covid and the recent and dramatic shifts in household income and rental rates are not representative of the current situation.

Describe the size, demographic composition of qualifying populations and unmet housing and service needs within the PJ's boundaries:

Definitions of the four Qualified Populations (QP) is described below. Refer to HUD CPD Notice 21-10 for a more complete definition:

- Homeless
  - lacking fixed/regular and adequate nighttime residence
    - Nighttime residence is not designed for ordinary sleeping accommodations
    - Living in public/private shelter or commercial lodging
  - Will lose nighttime residence:
    - Within 14 days
    - Lacks support network needed to obtain new housing
  - Unaccompanied youth (under 25) or families with children which:
    - Defined by HUD as Runaway, DV or Mckiney-Vento
    - Not had lease or ownership in permanent housing within 60 days
- At-Risk of Homelessness
  - Annual income below 30%LMI ($15k individual)
  - Not had lease or ownership in permanent housing within 60 days
  - Has been notified in writing of eviction
- Fleeing DV, Dating Violence, Stalking or Assault
- Other Populations
  - Families requiring services or housing assistance to prevent homelessness
  - At greatest risk of homelessness
    - Annual income less than 30%AMI
    - Cost burden of 50% monthly household income
  - Veterans and families that include a veteran family member

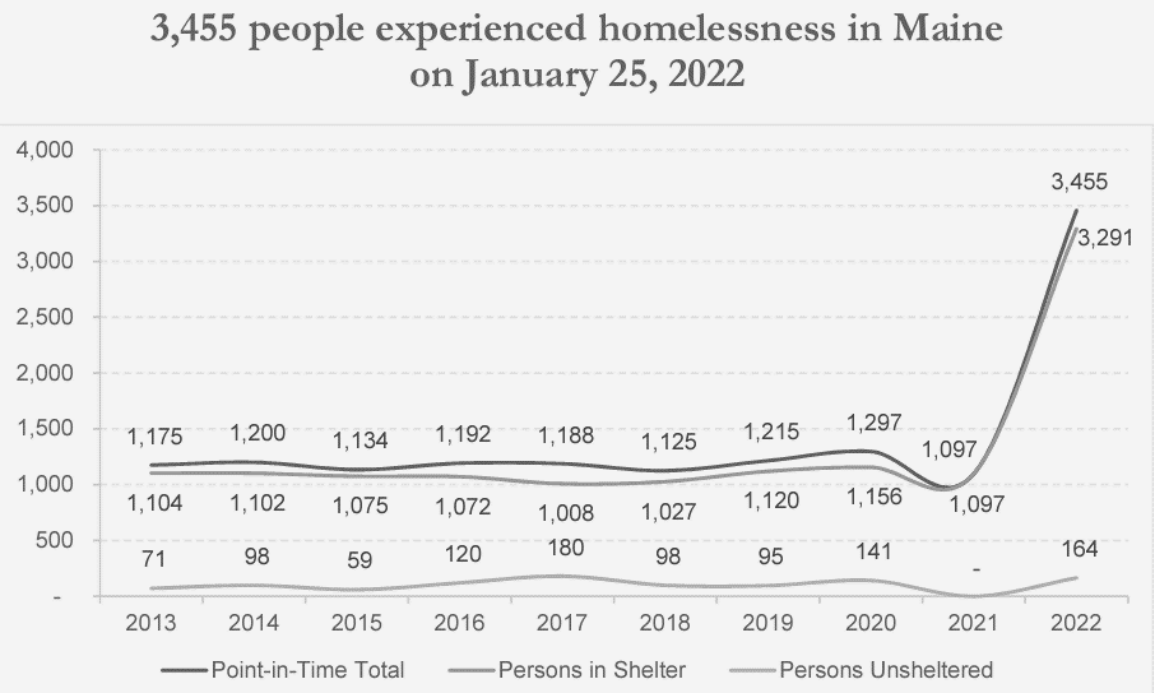
Homeless as defined in 24 CFR 91.5

The Maine Continuum of Care (MCoC) is a state-wide effort, which is beneficial in regards to coordination of efforts and resources across a wide territory as the system improves. From a local data collection effort, as addressed prior, it is also a limiting factor. The data below is from the statewide MCoC 2021 PIT. This data demonstrates a total population of sheltered individuals at 2,063.

Summary by household type reported:	**Sheltered**	
	Emergency Shelter	**Transitional Housing***
Households without children[1]	706	529
Households with at least one adult and one child[2]	113	134
Households with only children[3]	3	2
Total Homeless Households	**822**	**665**
Summary of persons in each household type:		
Persons in households without children[1]	**717**	**556**
Persons Age 18 to 24	46	56
Persons Over Age 24	671	500
Persons in households with at least one adult and one child[2]	**362**	**423**
Children Under Age 18	201	255
Persons Age 18 to 24	14	22
Persons Over Age 24	147	146
Persons in households with only children[3]	**3**	**2**
Total Homeless Persons	**1,082**	**981**

Source: MSHA PIT Report

The number of people experiencing homelessness statewide, and MSHA quantified in January 2022, jumped to 3,455 in the updated 2022 PIT count. This increase was the result of including, for the first time, data derived from the local General Assistance providers as well as the Emergency Rental Assistance program. The most concerning take-away from this updated data compiled by MSHA is that as the sheltered counts increased over 300% over the past year by including new data sources, the unsheltered count only increased 15%. This demonstrates that, although new data collection and reporting is improving the accuracy of the sheltered counts, there is still an unmet need in adequately finding and quantifying the unhoused population.



Source: MSHA PIT count

Local data collected form the 2 emergency shelters operated at the Lewiston Ramada Inn and the Lewiston Armory clearly demonstrates this catch-basin effect of homeless services provided within the ALHC. The combined totals of the two emergency shelters (whose numbers are not included in MSHA PIT counts) regularly operated at capacity. Of their total 213 individuals sheltered 60% claimed Lewiston as their residence, 20% claimed Auburn with the remaining 20% coming from outside of the ALHC jurisdiction. The unmet needs as reported by managers and service providers is a lack of adequate case management as well as vacancies within transitional or supervised housing facilities that are essential to take high-need clients out of short-term shelters.

Another resource engaged during this assessment process was the Auburn & Lewiston School Departments McKinney-Vento Homeless Assistance liaisons. For Auburn, the historic totals were 69 students for school year 19-20, 70 students for school year 2021 and what is looking like 80 students for school year 2021-22. Department staff was clear data is currently hard to quantify as data was tracked in multiple systems. Still, the 265 students in the school systems who are being

transported by the system under the McKinney-Vento program is notably larger than the totals of sheltered teen as reported by MSHA and the Continuum of Care. The unmet needs reported include additional funding for reliable transportation as well as supplies and expenses necessary to sustain their education while in an unstable housing situation.

At Risk of Homelessness as defined in 24 CFR 91.5

Those at risk of homelessness within Androscoggin County are renters within 30% of the Area Median Income with at least one severe housing problem, such as overcrowding or rent burden greater than 30% of their income. The below chart provides for a total of 1, 665 renters in Androscoggin County which qualified as 30%AMI.

Owner Occupied Households

HOUSEHOLD INCOME	Estimate	Margin Of Error
30% of Median Household Income	2,388	+/-428
50% of Median Household Income	5,612	+/-572
80% of Median Household Income	11,305	+/-926
Total =	**19,305**	

Renter Occupied Households

HOUSEHOLD INCOMI	Estimate	Margin Of Error	Total
30% of Median Household Income	1,665	+/-266	**4,052**
50% of Median Household Income	3,804	+/-529	**9,416**
80% of Median Household Income	6,849	+/-967	**18,155**
Total =	**12,318**		

Source: MSHA Housing Characteristics Report

Over 57% of the survey respondents indicated household income levels below 80% of the Area Median Income (AMI), meaning their household would already qualify for assistance under traditional HOME programs. Furthermore, over 24% of respondents indicated a household income under 30% AMI, meaning they would qualify as "At Risk of Homelessness" as defined in 24 CFR 91.5. Of the total respondents, 36% indicated that their household income was negatively impacted by the Covid-19 pandemic. A further 34% also indicated their families access to food and household necessities was made more difficult due to the pandemic. Regarding housing, 14% of respondents indicated that their access to adequate housing was negatively impacted this past year.

Lastly, through consultation with local housing authorities provided data on the Housing Choice Voucher centralized waitlist provided the quantification of 454 current applicants. 411 applicants currently qualify under 60% AI with 121 applicants residing in "temporary residences", 26 being housed in a shelter or hotel and 33 reporting that they are currently "living in a place not normally used for housing." Lastly, 57 of the current waitlist applicants are households of 3 or more.

The unmet needs relating to this QP includes additional support for subsidized housing such as the TBRA programs as well as the creation of additional new affordable units within the jurisdiction. Additional emergency expense assistance programs targeted to address short-term emergencies which usually turn into catalysts for homelessness would aid further in the prevention of homelessness within the at-risk population living under the poverty line.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

Information provided by SafeVoices, a domestic abuse shelter service provider currently operating a 17-bed shelter, demonstrates an average 44 shelter requests per month. Safe

Voices has been committed to the mission of supporting and empowering those affected by domestic violence and human trafficking and engaging the community in creating social change in Androscoggin, Oxford and Franklin counties for 45 years.

In their last fiscal year, SafeVoices alone received a total of 325 local shelter requests but were only able to house 83 individuals. This leaves an unmet need of 242 families which were under-served by the current capacity. The unmet need reported by DV focused shelter operators is additional funds and support for TBRA and subsidized housing programs to aid in the re-housing of their current population as well as a larger public awareness campaign to address the increasing instances of domestic violence they are seeing in recent years.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

In looking to better assess the at-risk population the ALHC staff reached out the current Emergency Rental Assistance providers for concrete numbers related to the impending end of the current Emergency Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding, preparations for a dramatic increase in housing assistance needs are being developed.

Additional data below indicates a total of over 14, 000 households within Androscoggin which have reported incomes below the poverty line. These families qualify as having characteristics of housing associated with instability and increase risk of homelessness, which includes having a household income of less than 30% AMI and/or paying more than 50% of their monthly income toward housing expenses.

	2015 Income below Poverty Level				2020 Income below Poverty Level		
	Households	Margin of Error Households in Poverty	% of Family Type in Poverty		Households	Margin of Error Households in Poverty	% of Family Type in Poverty
Total Households	7,041	+/-515	15.8%		5,410	+/-503	11.8%
Family Households	3,179	+/-351	11.4%		1,931	+/-346	7.0%
Married Couple Fam HH	905	+/-185	4.4%		569	+/-194	2.8%
M C Fam HH w/Children	508	+/-139	6.5%		358	+/-164	4.7%
Male Head of Family HH	368	+/-140	16.7%		194	+/-90	8.2%
Male Head of HH w/Children	341	+/-138	21.7%		132	+/-73	8.4%
Female Head of Family HH	1,906	+/-293	38.3%		1,168	+/-296	24.6%
Female Head of HH w/Children	1,816	+/-280	47.2%		962	+/-291	31.6%
Non-Family HH	3,862	+/-394	22.9%		3,479	+/-469	19.2%
				Total=	14,203		

Source: MSHA Housing Characteristics Report

In addition to the current homelessness crisis and the influx of more refugee families into a jurisdiction already coping with a housing shortage is the impending end of the current Emergency

Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. These populations are currently being housed within hotels and apartments funded through the ERA or General Assistance programs within the jurisdiction. Simultaneously, as the ERA program is coming to a funding cliff, the GA program has announced that the hotels will no longer be pay going rates for housing refugees. As these funds shrink the unmet needs of these QPs will be new unit development with the necessary TBRA and subsidized housing to support these populations.

Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing (Optional):

The General Assistance offices of both cities work proactively to prevent LMI families from becoming homeless. These efforts are not just based on the use of General Assistance funds but also the addition of wrap-around support services rooted in their proactive community roles. Similarly, the Auburn Public Health office continues to work with residential institutions to match needs with readily dwindling community housing and support resources. The Community Development Office is adding a new, Homelessness Intervention Specialist position with an additional Mckinney-Vento style budget from the HOME-ARP allocation to provide additional services and resources to these at-risk qualified populations including TBRA.

Additionally, the Maine COC has added a new HUB Coordinator & Housing Navigator located at the Lewiston Housing Authority. This position will be the point of Coordinated Entry (CE) into the MCoC system, allowing the Community Development and Public Health teams to focus their efforts on crisis response and early intervention efforts.

A number of new shelter initiatives are being developed within both cities. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding set to expire on June 30th, 2022, preparations for a dramatic in housing needs are being developed. This plan allocates substantial funding and staff time to support these projects as they develop.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

Community Concepts, who has been running the Emergency Rental Assistance program has reported a total of 1,118 non-duplicated households in the city of Auburn who have been assisted to date. As this program winds down, it is expected that these families will still be in need of some form of transitional Tennent Based Rental Assistance. More recently, MSHA has provided for government rate caps on rental assistance, which is substantially decreasing the number of hotel/motels that will accept discounted rates. The end result being an anticipated eviction wave of residents currently housed within these privately owned facilities.

Total housing inventory data, as compiled by MSHA in 2021 for Androscoggin County demonstrates only a 2.6% vacancy rate for rental units. This rate is a causal reasons for individuals to find themselves stuck within the shelter and transitional housing systems.

Units by Tenure & Vacancy

	2011-2015	%	Margin of Error 2011-2015	2016-2020	%	Margin of Error 2016-2020	% Change
Total Units	49,164		+/-154	50,053		+/-187	2%
Occupied Units	44,636	91% of Total	+/-483	45,906	92% of Total	+/-574	3%
Owner Occupied	28,372	64% of Occ.	+/-620	29,796	65% of Occ.	+/-724	5%
Renter Occupied	16,264	36% of Occ.	+/-596	16,110	35% of Occ.	+/-654	-1%
Vacant Units	4,528	9% of Total	+/-480	4,147	8% of Total	+/-541	-8%
Vacant For Sale	519	1.8% Vac.	+/-179	384	1.3% Vac.	+/-179	-26%
Vacant For Rent	681	4% Vac.	+/-213	423	2.6% Vac.	+/-146	-38%
Vacant Seasonal	1,110	2% of Total	+/-249	1,432	3% of Total	+/-363	29%

Data from the American Community Survey are estimates

Source: MSHA Housing Characteristics Report

Although this plan expects to provide funding for 4 new affordable rental units, the ALHC regular allocation budget workplan expects to double that number. Historically, Auburn and Lewiston have added multiple large affordable housing projects in the past few years. According to statistics maintained by Maine Housing Authority 243 new affordable housing units have been created with MSHA funding (including Auburn & Lewiston Consortium funds) between 2019 and 2022. These buildings offer modern affordable amenities to public housing residents. Auburn Housing Authority has been transitioning to a voucher-based system allowing more aid to residents using privately owned units.

Identify priority needs for qualifying populations:

Priority needs for qualified populations include the development of new, affordable housing units to ease the congestion within the current shelter as well as transitional housing systems. Additional direct field services and case management is also needed to aid in the transition from the high-need unhoused population into openings within the current structures and non-profit service providers across the jurisdiction.

The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, Community Concepts, Healthy Androscoggin, and other city departments, and local and regional nonprofit organizations coordinate closely in the planning and delivery of housing services. However, there are not enough resources among all of the partners to meet the identified needs. Waiting lists for services at the housing authorities are long. By leveraging private developers to construct more affordable units and engage with the Section 8 voucher program multiple agencies would be increasing efficiency and ability to better serve the 434 low-to-moderate income residents currently on the Section 8 wait list. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable goals.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

Housing inventory has been a recent topic for all income brackets within Auburn and Lewiston as of late. Private development of multi-unit housing projects is on the rise across Auburn. As reported by the Auburn Planning & Permitting Department, there are a total of 102 new units in 3 different projects expected to come into service by the end of 2022. Another 423 new units are also in process to be completed by 2023, and 196 seeking approval for 2024. The large, and rapid increase in new unit development, coupled with Auburn Housing Authority's conversion to a voucher-based system will have a notable impact on addressing not just the over-all housing shortage, but will also make much needed headway in the alleviation of the shortage of affordable housing.

In order to better qualify the current state of availability it is key to point out that in the 2009 Lewiston Auburn Homelessness Strategy it was clearly stated that "the homelessness problem in Lewiston and Auburn is not, in the first place, primarily a problem of lack of housing… Instead, homelessness is a problem of insufficient income and resources, a lack of life skills, and health problems (primarily mental health and substance abuse)." This plan presented a 10-year goal of 210 new affordable units to be developed by the Auburn and Lewiston Community Development Offices. According to MSHA there were 243 new affordable units constructed within the area between 2019 and 2022 alone (not including the to-be developed Choice Neighborhood project currently underway in Lewiston).

This 2009 plan clearly identified the gaps as a service deficiency, as opposed to a long-term permanent housing problem. This initial, although dated, claim is supported by the service call data from the Auburn Fire Department who indicate 87% of their responses to homeless individuals are related to substance or mental health situations. Therefor the development of a more effective Crisis Response Team as suggested in the 2009 strategy is a key component and priority addressed by this plan.

HOME-ARP Activities

Describe the method(s)that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

The ALHC will draft a Request for Proposals (RFP) in order to choose projects and developers to receive HOME-ARP awards. The applicants must demonstrate how funding will be used to create affordable housing and provide services. Applicants will be scored according to a rubric including points for criteria such as developer experience, capacity building, services offered, housing need, project readiness, compliance to existing land use requirements, and availability of match funding. Applicants must submit application materials by a specific deadline. Applications will be scored by the ALHC management team and will award funding in order of scoring results until there are no remaining funds available. The applicants will be developers or service providers who must describe their own experience as well as that of any service providers, contractors, or consultants with

whom they wish to partner. Application exhibits must demonstrate the financial feasibility of the projects, conformity to HOME-ARP requirements, commitments for services and other funding sources, site control, compliance with land use requirements, and detailed construction plans.

Describe whether the PJ will administer eligible activities directly:

The ALHC will both provide supportive services directly as well as competitively selecting local service providers to fill identified service gaps. The City of Auburn will be creating a 3 year, field service provider position. These services are focused on responding to the needs of community members experiencing homelessness, who are at risk of homelessness or who are fleeing domestic/dating violence, sexual assault, or human trafficking. The definition of a Qualified Population (QP) to be assisted with these funds if further defined by HUD in their CDP Notice 21-10.

These services are being developed in response to quantifiable data collected by the Auburn Lewiston HOME Consortium in partnership with multiple city department, service providers and non-profits. This plan contains two key elements. The first is to provide funding for qualified services to include both **Tenant Based Rental Assistance (TBRA)**, which includes security deposits and utility deposits for qualified households, as well as **Direct Support Services (DSS)** to include McKinney-Vento Support Services and Homelessness Prevention services as further outlined in CPD Notice 21-10.

The second key element will be the creation of a Crisis Response Team (CRT) as put forward in the 2009 LAASH plan. Direct support service providers, housed in the Auburn Community Development Office, which will work proactively across city departments including the School Departments, Police Departments and General Assistance Departments to provide advocacy and support services to residents at their time of need. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable referrals to the Coordinated Entry system.

The **Homeless Intervention Specialist (HIS)** will work across multiple city departments to build relationships with community members experiencing homelessness or at risk of homelessness to provide advocacy and support services and assist with connecting individuals to housing and support services. The Specialist will assist with identifying unsheltered homeless or at-risk neighbors through direct outreach with and referrals from the Auburn Police Department, Auburn Fire Department, Auburn School Department, Public Health Manager, and General Assistance Manager as needed. This may include meeting with individuals in encampments, shelters, warming locations, and other locations not meant for human habitation. The work schedule will include some evening and weekend hours where the Specialist will assess the needs of the individuals identified and facilitate placement into emergency or short-term housing as needed.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the

subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

The ALHC did not provide administration funds to a subrecipient prior to HUD's acceptance of the HOME-ARP allocation plan.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	$684,419	40%	
Acquisition and Development of Non-Congregate Shelters	$410,000	24%	
Tenant Based Rental Assistance (TBRA)	$60,000	4%	
Development of Affordable Rental Housing	$250,000	15%	
Non-Profit Operating	$90,000	5%	5%
Non-Profit Capacity Building	$0	0%	5%
Administration and Planning	$206,410	12%	15%
Total HOME ARP Allocation	**$1,700,829**	**100%**	

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds. Auburn, serving as the program sponsor, utilizes 75% of the portion of the allocations which can be set aside for administration of the HOME program to cover the overall administration of the program for the Consortium. Lewiston utilizes the remaining 25% for their administration costs. The balance of current year allocations is then divided evenly between both cities to provide programing.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

What the MSHA PIT, the CHAS & ACS data clearly demonstrates is the need for a local option in collecting quantifiable data around housing, homelessness, and at-risk populations. This plan takes the lack of on the ground data seriously and has built in a mechanism for not just responding to the demonstrated needs which have been established through direct consultation with area service providers and locally executed community surveys, but also including a 2-year assessment component which will build the basis for developing a more permanent, sustainable and integrated response.

The last time this data was locally developed was in 2009, which was published in the Lewiston Auburn Homelessness Strategy by the Lewiston/Auburn Alliance for Services for the Homeless (LAASH). This was a local initiative used to establish a 10-year plan to end homelessness in the area. This plan was to be administered by regional partners including the cities of Auburn & Lewiston, Auburn Housing Authorities, Community Concepts, St. Mary's and New Beginnings. This initiative was to be overseen by the United Way of Androscoggin County. This plan had concrete benchmarks and established expectations for all partners and was set to be re-assessed in 2019.

The below table is derived from the May 2009 study. Although it is dated this data still demonstrates the inconsistency between local assessments and state-level data that still exists to this day:

Gaps in Service for Homeless populations in Lewiston Auburn Lewiston Auburn Homelessness Strategy – May 8, 2009		
	Numbers	**At-Risk**
Youth	**204 homeless youth** grades 9-12 identified by schools **423 homeless youth** served by New Beginnings and Volunteers of America	**Youth not employed:** 900 ages 20-21 500 ages 22-24 **Youth not in school:** 200 ages 15-17
Families	2008 MSHA Point-In-Time Survey found **6 families homeless on January 30, 2008** **As of September 2008,** **23 families sheltered; 47 families turned away** 69 homeless children grades K-8 identified by schools	**Families living in poverty** in Lewiston Auburn: 1,400 families 1,200 families with children 200 families over age 65
Domestic Violence Survivors	AWAP's domestic violence shelter served **170 women and children last year**	**434 domestic violence crimes** were reported to Lewiston and Auburn police departments in 2006
New Americans	There are an estimated 4,000- 6,000 New Americans living in Lewiston-Auburn.	As of Jan. 2007, Lewiston identified 2,641 immigrants who had moved to the city and enrolled in General Assistance. A 2007 study by the Maine Department of Labor found unemployment among the Somali immigrants to be at 51%
Single Adults	546 homeless single adults sheltered by Hope Haven and St. Martin De Porres in 2007 As of Sept. 2008, Hope Haven had sheltered 252 homeless individuals and turned away 207 because it was full.	3,900 non-institutionalized individuals with a mental disability over the age of 16 700 veterans living below poverty, 2/3 of whom are disabled National rates suggest that as many as 3,000 people in Lewiston Auburn may have significant substance abuse issues

The table above indicates the MSHA PIT report demonstrated 6 homeless families in 2008, while local data verified though the Auburn School Department verified 70 homeless families. Similarly, of the 546 homeless single adults sheltered by Hope Haven & St. Martin in 2007, the MSHA PIT report for 2022 estimates those same facilities to have only 12.

Unfortunately, in 2017 LAASH members agreed to use the Statewide Homeless Council's updated plan as the framework for advocacy as the group did not have the capacity to undertake the work and the expense of updating the plan. This abdication has left the Auburn Lewiston HOME Consortium with little to no accurate baseline data for use in the generation of this plan. In order to begin to augment the anecdotes and small data samples provided by local service providers the consortium released a Covid-19 Community housing and service survey.

Current day MSHA has made dramatic steps to improve local services for the homeless population by, as recently as March 2022, funding a new HUB Coordinator position located at Lewiston Housing Authority whose role will be to better assess the current data collection methods and coordinate service delivery through the various and disparately funded shelters and service providers.

HOME-ARP Production Housing Goals

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

The ALHC anticipates 4 affordable rental units for qualified populations will be produced with HOME-ARP funds.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

The ALHC will prioritize projects that are able to be developed quickly and that can operate with sufficient operating and supportive service dollars to meet the needs of tenants. As noted above, it is anticipated that at least 4 units of affordable rental housing units will be developed. The units developed with HOME-ARP funds will meet the ALHC's Consolidated Plan Priorities of Improving and Preserving the Quality of Housing and Expanding Affordable Housing Opportunities.

Preferences

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

Referral Methods

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

A waitlist will be established for each HOME-ARP project.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

Limitations in a HOME-ARP rental housing or NCS project

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

The ALHC will not limit eligibility to a particular qualifying population.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not limit eligibility to a particular qualifying population.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

The ALHC will not limit eligibility to a particular qualifying population.

HOME-ARP Refinancing Guidelines

Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity

The ALHC will not provide refinancing activities with HOME-ARP funds.

Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Specify the required compliance period, whether it is the minimum 15 years or longer.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Other requirements in the PJ's guidelines, if applicable:

The ALHC will not provide refinancing activities with HOME-ARP funds.

HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and Anti-displacement and Relocation Plan --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.

_____ _____

Phillip L. Crowell DATE
City Manager

ORDER 110-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby adopts the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Order:** 111-08012022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Tambrands II Technical Revision

Information: The City's original District application was submitted on March 30, 2001 and was granted conditional approval. The approval allowed for the City to expend TIF revenues to make credit enhancement payments, but withheld approval of all City project costs and expenditures. There is no history that there was any follow up on the conditional approval from the City or from the Department of Community and Economic Development.

The City made credit enhancement payments but also spent TIF revenues on what the City believed to be approved City project costs. Once submitting the First Amendment to the District this year, it became clear this was done in error. The City has reviewed the expended TIF revenues from the start of the District through present. All of the expenditures fell into a project cost listed in the original development program.

This order and attached documentation is what DECD has requested to ensure the city is in compliance with the Districts plans.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Program overview

Tambrands II Original District Project Costs

Expenditure History

Project Costs	**TIF Revenues Expended to Date**	**Statutory Citation (as of March 30, 2001)**	**Projects Undertaken**
Public Infrastructure: To fund infrastructure improvements within and abutting the District including but not limited to roads, traffic signals, sewer, water, storm drains, sidewalks and landscaping (herein after called the Public District Improvements)"	$1,742,478	30-A MRSA §5252(8)(B)(1)(a)	Bond payments related to infrastructure improvements in the area of the District.
Economic Development Job Creation: To develop new employment opportunities in the City and to pay other Project costs	$0	30-A MRSA §5252(8)(B)(11)	
Public Safety: To provide for costs reasonably related to the construction, alteration, and expansion of facilities not located within the District that are required due to improvements or activities within the District as described in 30-A MRSA section 5252(8)(B)(9) including road, water sewer, stormwater and environmental protection improvements, and fire and public safety projects.	$297,721	30-A MRSA §5252(8)(B)(9)	Purchase of a fire truck that significantly increases ability to fight fires at large commercial structures such as the Tambrands facility.

Administration: To fund the City's economic development programs including but not limited to implementation of Auburn Downtown Action Plan for Tomorrow being the City's downtown revitalization plan	$1,324,424	30-A MRSA §5252(8)(B)(11)	Economic development programs and economic development department salary.
Environmental Improvements: To fund environmental improvement programs	$0	30-A MRSA §5252(8)(B)(11)	
Infrastructure: To Fund infrastructure improvements and other Project Costs	$0	30-A MRSA §5252(8)(B)	
TOTAL	**$3,364,625**		

Tambrands II Municipal Project Cost Table

Project Costs	Cost Estimate	Statutory Citation
Public Infrastructure: To fund infrastructure improvements within and relating to the District including but not limited to roads, traffic signals, sewer, water, storm drains, sidewalks and landscaping.	$200,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2)
Economic Development Job Creation: To develop new employment opportunities in the City and to pay other project costs.	$150,000	30-A MRS §5225(1)(C)(1), (1)(C)(4)
Public Safety: To provide for costs reasonably related to the construction, alteration, and expansion of facilities not located within the District that are required due to improvements or activities within the District including road, water sewer, stormwater and environmental protection improvements, and fire and public safety projects.	$250,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2), (1)(C)(9).
Administration: To fund the City's economic development programs including but not limited to implementation of Auburn Downtown Action Plan for Tomorrow, the City's downtown revitalization plan.	$100,000	30-A MRS §5225(1)(C)(1)
Environmental Improvements: To fund environmental improvement programs.	$100,000	30-A MRS §5225 (1)(C)(2)
Infrastructure: To fund infrastructure improvements and other project costs.	$200,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2), and (1)(C)(9)
TOTAL	$1,000,000	

NOTICE OF PUBLIC HEARING

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

Regarding
A Technical Revision to the Municipal Development and Tax Increment Financing District known as:

"#6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment Financing District"

Notice is hereby given that the City of Auburn will hold a public hearing on

August 1, 2022
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.

The purpose of the public hearing is to receive public comments on the technical revision to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the "District") and the approval of the technical revision to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed technical revision involves providing an updated project cost list with estimates of TIF revenue expenditures to the Department of Economic and Community Development.

A copy of the proposed technical revision materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at https://www.auburnmaine.gov/or one can call *207-333-6601* during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at sdaillaire@auburnmaine.gov. Written comments will be accepted until 4:00PM on July 28, 2022.

ORDER 111-08012022

City Council Order

IN CITY COUNCIL

Technical Revision to the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

WHEREAS, on February 21, 2022 the City adopted the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

WHEREAS, the Department is requiring the City to provide an updated project cost list stating the cost estimates of the tax increment revenue expenditures from the City's Project Cost Subaccount in order to obtain the Department's approval of the First Amendment to the District; and

WHEREAS, the City Council has held a public hearing on August 1, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of submitting a technical revision to the Development Program; and

WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the technical revision to the Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the technical revisions; and

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large
Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 111-08012022

City Council Order

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

Section 1. The City Council hereby approves and adopts the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development Program as presented.

Section 2. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the technical revisions to the Department for review and approval.

Approved _____ , 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large
Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Order:** 112-08012022

Author: Dan Goyette

Subject: HVAC Systems

Information: The City Council on July 18, 2022 officially authorized the City Manager to move forward with four projects that will result in the upgrade and/or replacements of HVAC systems in three city-owned facilities. The Council requested that the funding of the $1,600,000 projects be determined later. We are recommending that the funding be taken from the City's ARPA allocation. This project aligns with ARPA (American Rescue Plan Act) focus area – 1 / 1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to theCOVID-19 public health emergency.

City Budgetary Impacts: By using the ARPA funding for the project there will be no budgetary impact. If the City were to bond the project, it would cost $341,333 in interest payments in addition to the $1.6 million dollar bond. A bond schedule has been attached.

Staff Recommended Action: Allocate ARPA funds to complete the projects in lieu of additional capital funds in the amount of $1,600,000 saving tax payers a total of $1,941,333.

Previous Meetings and History: 6/6/22, 6/27/22, 7/18/22

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Bond Payment Schedule

City of Auburn, Maine
2022 General Obligation Bonds

Dated Date Tuesday, November 1, 2022
Delivery Date Tuesday, November 1, 2022

Debt Service Schedule

Date	Principal	Bond Type	Coupon	Interest	Debt Service	Fiscal Total	Bond Balance
3/1/2023				21,333.30	21,333.30	21,333.30	1,600,000.00
9/1/2023	160,000.00	Standard	4.000000	32,000.00	192,000.00		1,440,000.00
3/1/2024				28,800.00	28,800.00	220,800.00	
9/1/2024	160,000.00	Standard	4.000000	28,800.00	188,800.00		1,280,000.00
3/1/2025				25,600.00	25,600.00	214,400.00	
9/1/2025	160,000.00	Standard	4.000000	25,600.00	185,600.00		1,120,000.00
3/1/2026				22,400.00	22,400.00	208,000.00	
9/1/2026	160,000.00	Standard	4.000000	22,400.00	182,400.00		960,000.00
3/1/2027				19,200.00	19,200.00	201,600.00	
9/1/2027	160,000.00	Standard	4.000000	19,200.00	179,200.00		800,000.00
3/1/2028				16,000.00	16,000.00	195,200.00	
9/1/2028	160,000.00	Standard	4.000000	16,000.00	176,000.00		640,000.00
3/1/2029				12,800.00	12,800.00	188,800.00	
9/1/2029	160,000.00	Standard	4.000000	12,800.00	172,800.00		480,000.00
3/1/2030				9,600.00	9,600.00	182,400.00	
9/1/2030	160,000.00	Standard	4.000000	9,600.00	169,600.00		320,000.00
3/1/2031				6,400.00	6,400.00	176,000.00	
9/1/2031	160,000.00	Standard	4.000000	6,400.00	166,400.00		160,000.00
3/1/2032				3,200.00	3,200.00	169,600.00	
9/1/2032	160,000.00	Standard	4.000000	3,200.00	163,200.00	163,200.00	
	1,600,000.00			341,333.30	1,941,333.30		
			Accrued				
	$1,600,000.00			$341,333.30	$1,941,333.30		

Bond Years	8,533.333		
Average Coupon	3.9999996		
Average Life	5.3333333		
N I C %	3.9999996	using	100.0000000
T I C %	4.0009390		from Delivery Date
Weighted N I C %	3.9999996		
Weighted Bond Years	8,533.333		
Weighted Average Life	5.3333333		

ORDER 112-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council allocate $1,600,000.00 of American Rescue Plan Act ((ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022 **Referred Ordinance:** 11-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Action on Citizen Petition and Potential Repeal of Ordinance 11-03212022

Information: On March 28, 2022, the City Council adopted Ordinance 11-03212022, a Zoning Ordinance Amendment to amend the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).

On April 5, 2022, an affidavit to form a Petitioner's Committee was filed with the City Clerk. On April 8, 2022, petition blanks were issued. The deadline for the petition to be filed with the City Clerk was July 7, 2022. The petition was filed with the City Clerk on July 6, 2022. At that point, pursuant to Sec. 9.5 of the Charter, the Ordinance was suspended from taking effect.

The total number of valid signatures required was 1,648. *See* Charter Sec. 9.3(A). The petition was reviewed and signatures validated; the petition was certified to be sufficient, with 2,152 valid signatures and 260 invalid signatures, on July 21, 2022. The City Clerk then issued a Certificate of Sufficiency of Petition and provided a copy to the Petitioners' Committee's contact person, John Cleveland, on July 22, 2022.

Once the petition is determined to be sufficient, pursuant to Sec. 9.6 of the Charter, the City Council shall promptly consider voting to repeal the ordinance. If the Council fails to repeal the ordinance within 30 days after the date the petition was finally determined to be sufficient, it must submit the Ordinance to the voters of the City.

A proposed motion to act to repeal the ordinance is as follows: "I move that the ordinance specified in the referendum petition (Ordinance 11-03212022) be repealed."

If the repeal motion fails, it means that the Ordinance must be sent to the voters for a City-wide referendum vote. The timing of the referendum election is dictated by Sec. 9.6(B) of the Charter: the referendum election must be held "not less than one hundred twenty (120) days and not later than six (6) months" from the date the petition is determined to be sufficient. If the City Council is ready on August 1st to set the date for the referendum election, a motion in substantially the same form as follows ought to be made: "I move that the ordinance specified in the referendum petition (Ordinance 11-03212022) be sent to a referendum vote to be held on _____, 202___."

City Budgetary Impacts: N/A

Staff Recommended Action: Consider the repeal of Ordinance 11-03212022.

Previous Meetings and History: On March 28, 2022, Council adopted Ordinance 11-03212022

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Ordinance 11-03212022; copy of petition blanks; copy of affidavit to form a Petitioner's Committee; Certificate of Sufficiency of Petition; Article IX of the City Charter; Referred Ordinance 11-03212022.

ORDINANCE 11-03212022

City Council Ordinance

IN CITY COUNCIL

Amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).

Be it ordained, that the City Council hereby amends the boundary to be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C and Utilize Public Parking in all Formed Based Code: Sec. 60-554, Notes (2)

*Parking requirements in T-4.1, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval. Sec 548.2-552.2 allow Accessways (A)

A TRUE COPY

ATTEST Susan Clements-Dallaire

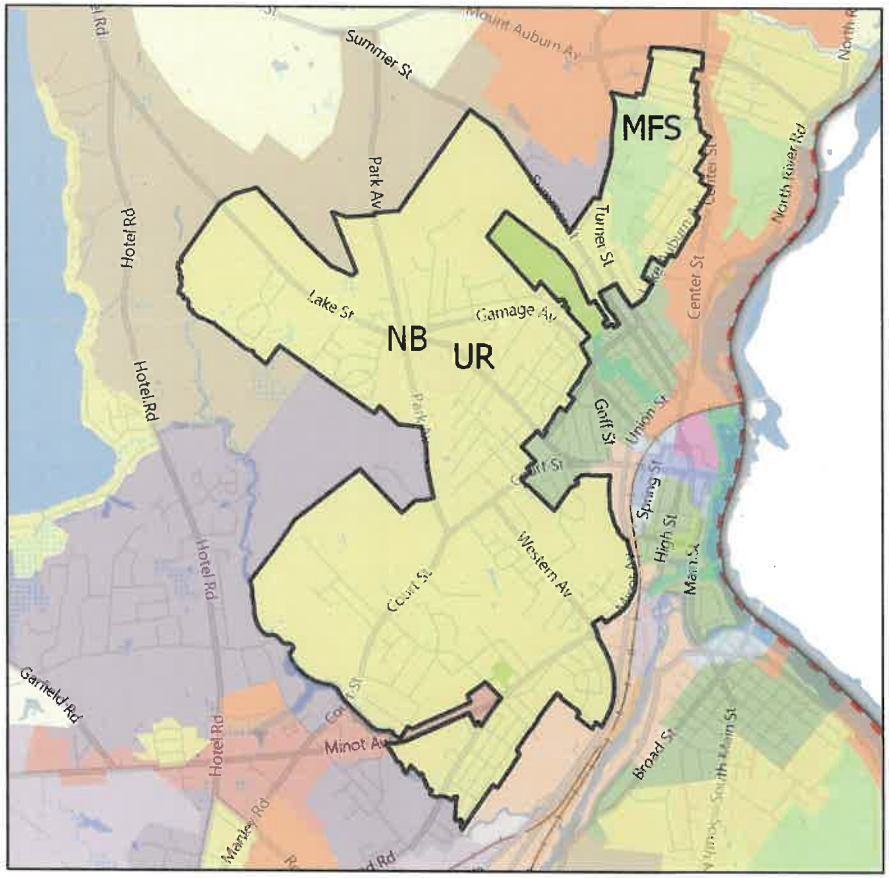
Susan Clements-Dallaire, City Clerk Date 4/5/2022

Passage of first reading, as amended on 3/21/2022, 5-2 (Councilors Gerry and Whiting opposed).
Passage of second reading, with all 3/21/2022 amendments rescinded, 5-2 (Councilors Gerry and Whiting opposed).

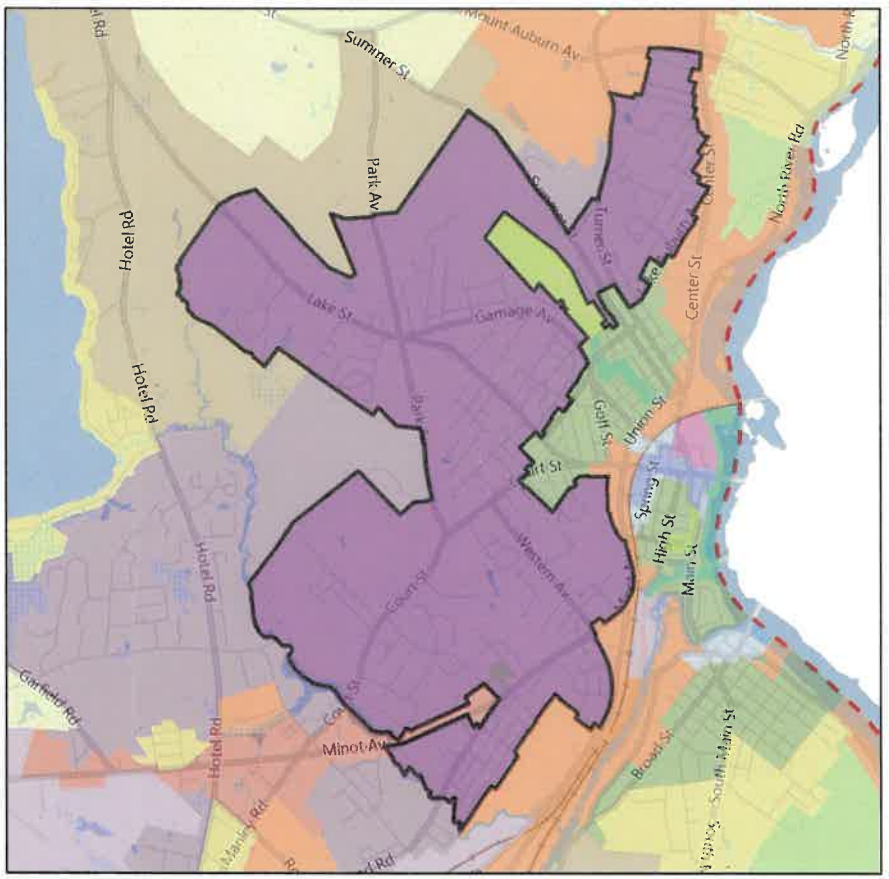
Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Court Street: Exhibit C

Ordinance 11-03212022



Current Zoning



Proposed Change

Recommended Zoning Updates

Description
- Comp Plan to TNDD
- <all other values>

Current Zoning
- AG - Agriculture and Resource Protection
- GB - General Business
- GB II - General Business II
- ID - Industrial
- MFS - Multi-Family Suburban
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/OS - Conservation / Open Space

auburnmaine.gov

12/29/2021 2:34 PM Path: D:\GISProjects\RM\DataDevelopment\ZoningUpdates\ZoningUpdateProject.aprx

PETITION TO REPEAL ORDINANCE 11-03212022

To the City Council of the City of Auburn, Maine:

We, the undersigned registered voters of the City of Auburn, Maine, residing respectively at the addresses placed opposite our names, hereby petition that the following residential neighborhood zoning ordinance and map adopted by the City Council on March 28, 2022 be REPEALED: Ordinance 11-03212022.

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

Signature	Printed Name	Residence (Street Address)	Date

DRAFT

Circulator's Affidavit

I _____ of_____, hereby certify that I personally circulated this paper; all _____ (number) of the signatures on this paper were signed in my presence; to the best of my knowledge and belief, each signature is that of the person it purports to be; and each signer had an opportunity before signing to read the ordinance to be reconsidered.

_____
Signature of Circulator

_____
Printed Name

Subscribed to and sworn before me on this date _____ (Date must be completed by Notary)

_____
Signature of Notary

_____
Printed Name

Date my Notary Commission expires:_____

_____

REGISTRAR'S CERTIFICATION

MUNICIPALITY_____

TOTAL VALID_____ TOTAL INVALID_____

I hereby certify that the names of all the petitioners listed as valid appear on the voting list as qualified to vote.

DATE & TIME PETITION RECEIVED _____

Signature of Registrar: _____

Date petition certified: _____

DRAFT

CITY OF AUBURN
INITIATIVE, REFERENDUM, AND RECALL

Shall the following residential neighborhood zoning ordinance and map adopted by the City Council on March 28, 2022 be REPEALED: Ordinance 11- 03212022,

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

List of five registered voters filing this affidavit stating they will constitute a petitioners' committee.

1. I, John J Cleveland, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: John J Cleveland

ADDRESS: 183 Davis Avenue Auburn, ME 04210

PHONE: 207.212.7755

SIGNATURE John J. Cleveland

Sworn to and subscribed before me, _____,
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

2. I, Robert P. Hayes, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Robert P. Hayes

ADDRESS: 172 Allen Avenue Auburn, ME 04210

PHONE: 207.232.3903

SIGNATURE Robert P Hayes

Sworn to and subscribed before me, _____,
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

3. I, Denis P. Bergeron, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Denis P. Bergeron

ADDRESS: 23 Dexter Avenue Auburn, ME 04210

PHONE: 207.576.4588

SIGNATURE Denis P Bergeron

Sworn to and subscribed before me, _____,
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

4. I, Elizabeth Dunn, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Elizabeth A. Dunn

ADDRESS: 530 Court Street Auburn, ME 04210

PHONE: 207.212.2837

SIGNATURE Elizabeth A. Dunn

Sworn to and subscribed before me, _____,
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

5. I, Ryan Smith, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Ryan C. E. Smith

ADDRESS: 11 Harris Street Auburn, ME 04210

PHONE: 207.558. 2266

SIGNATURE _____

Sworn to and subscribed before me, _____,
Attorney/notary public, this 4 day of April, 2022. Justin Leary Bar No 3661

All notices to this committee are to be sent to the following:

Name: John J Cleveland

Address: 183 Davis Avenue Auburn, ME 04210

CERTIFICATE OF SUFFICIENCY OF PETITIONS

PETITION TO REPEAL ORDINANCE 11-03212022, ZONING AMENDMENT COURT STREET/CITY CORE OF URBAN RESIDENTIAL AREA; 1,687.41 ACRES OF URBAN RESIDENTIAL TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT AREAS (T-4.2)."

Date petitions issued to Petitioner's Committee: **April 8, 2022**

Number of valid signatures required: **1,648**

Deadline to file petitions with the City Clerk (90 days after petition blanks are provided): **July 7, 2022**

Date petitions were filed with the City Clerk: **July 6, 2022**

Deadline for City Clerk to complete a certificate of sufficiency: **July 26,2022**

Number of petitions certified: **119 of 119 submitted**

Number of signatures verified: **2,412**

Number of valid signatures: **2,152**

Number of invalid signatures: **260**

I, Susan Clements-Dallaire, Auburn City Clerk, hereby declare that the Petitions submitted to Repeal Ordinance 11-03212022, Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 Acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2) meets the requirements and sufficient number of signatures pursuant to Article IX, Sec. 9.3 of the Auburn City Charter.

ATTEST:

Susan Clements-Dallaire 7/21/2022

Susan Clements-Dallaire, City Clerk Date

ARTICLE IX. - INITIATIVE, REFERENDUM, AND RECALL

Sec. 9.1. - General authority.

A. *Initiative.* The registered voters of the city shall have the power to propose ordinances, orders, and resolves to the city council and, if the city council fails to adopt the matter proposed without any change in substance, to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any ordinance, order, or resolve relating to appropriation of money, levy of taxes, or salaries of city officers or employees. An initiative which fails to win a majority vote in a citywide election may not be the subject of another initiative for at least six months after the citywide election in which it failed.

B. *Referendum.* The registered voters of the city shall have power to require reconsideration by the city council of any adopted ordinance, order, or resolve and, if the city council fails to repeal the matter so reconsidered, to approve or reject it at a city election, provided that such power shall not extend to the budget or capital program or any emergency ordinance or ordinance, order, or resolve relating to appropriation of money or levy of taxes. A referendum which fails to win a majority vote in a citywide election may not be the subject of another referendum for at least six months after the citywide election in which it failed.

C. *Recall.* The registered voters of the city shall have the power to recall any elected official, but no recall petition shall be filed against any official within six months after the official takes office, nor, in the case of an official subjected to a recall election and not removed, until at least six months after the recall election.

Sec. 9.2. - Commencement of proceedings.

[A.] Any five registered voters may commence initiative, referendum, or recall proceedings by filing with the city clerk an affidavit stating they will constitute a petitioners' committee and be responsible for circulating the petition, filing it in proper form, stating their names and addresses, and specifying the address to which all notices to the committee are to be sent, as well as setting out in full the proposed initiative ordinance, order, or resolve or citing the ordinance, or other matter sought to be reconsidered, or the elected official proposed to be recalled, together with a statement not to exceed 200 words, of the reasons for the recall. Grounds for the recall should relate to and affect the administration of the official's office and be of a substantial nature directly affecting the rights and interest of the public. Promptly after receipt of a recall petition, the city clerk shall serve, personally or by certified mail, return receipt requested, restricted delivery, a copy of the affidavit on the elected official sought to be recalled. Within ten days of the copy's delivery, refusal, or being unclaimed, the elected official sought to be recalled may file a statement with the city clerk not to exceed 200 words in response.

[B.] Promptly after the affidavit of the petitioners' committee is filed, the city clerk shall issue appropriate petition blanks to the petitioners' committee.

Sec. 9.3. - Petitions.

A. *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the city equal in number to at least ten percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit. Recall petitions must be signed by at least 15 percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit.

B. *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached during their

circulation the full text of the ordinance, order, or resolve proposed or sought to be reconsidered or the name of the elected official proposed to be recalled and the reasons for that action. Petitions for recall shall be limited to the recall of one individual and shall contain the statement of grounds for the recall and the response of the official sought to be recalled, if any. If no response was filed, the petition shall state that fact.

C. *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit signed by the circulator stating the number of signatures as well as that the circulator:

(a.) Is a resident of the city;

(b.) Personally circulated the paper;

(c.) Had all the signatures signed in the circulator's presence;

(d.) Believes the signatures are the genuine signature of the persons; and

(e.) That each signer had an opportunity before signing to read the full text of the ordinance proposed or to be reconsidered or the name of the elected official proposed to be recalled and the statements of both the official and the petitioners' committee.

D. *Time for filing.* Referendum affidavits must be filed within 30 days after adoption by the city council of the ordinance, order, or resolve sought to be reconsidered. petitions for initiative, referendum and recall must be filed with the city clerk within 90 days of the city clerk's issuance of petitions, otherwise the petitions expire.

Sec. 9.4. - Procedure after filing.

A. *Certificate of city clerk; amendment.* Within 20 days after the petition is filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery. A petition certified insufficient for lack of the required number of valid signatures may be amended once, if the petitioners' committee files a notice of intention to amend it with the city clerk within five days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections B and C of section [9.]3 above. Within five days after the supplementary petition is filed, the city clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery, as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request city council review under subsection B of this section within the time required, the city clerk shall promptly present the certificate to the city council and the certificate shall then be a final determination as to the sufficiency of the petition.

B. *City council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two days after receiving the copy of such certificate, file a request for review by the city council. The city council shall review the certificate at its next meeting following the filing of such request and approve or disapprove it. The city council's determination shall be a final determination as to the sufficiency of the petition. The official proposed to be recalled shall not participate in any proceedings regarding the petition or the election.

C. *Court review; new petition.* A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

Sec. 9.5. - Referendum petitions; suspension of effect.

When a referendum petition is filed with the city clerk, the ordinance, order, or resolve sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

a. There is a final determination of insufficiency of the petition; or

b. The petitioners' committee withdraws the petition; or

c. The city council repeals the ordinance, order, or resolve; or

d. Thirty days have elapsed after a vote of the city on the ordinance, order, or resolve.

Sec. 9.6. - Action on petitions.

A. *Action by city council.* When an initiative or referendum petition has been fully determined sufficient, the city council shall promptly consider the proposed initiative ordinance, order, or resolve in the manner provided in article 2 or reconsider the referred ordinance, order, or resolve by voting its repeal. If the city council fails to adopt a proposed initiative ordinance, order, or resolve without any change in substance within 60 days or fails to repeal the referred ordinance, order, or resolve within 30 days after the date the petition was finally determined sufficient, it shall submit the proposed or referred matter to the voters of the city.

B. *Submission to voters.* The vote of the city on a proposed or referred ordinance, order, or resolve shall be held not less than 120 days and not later than six months from the date of the final city council vote thereon. In the case of a recall petition, the election shall be held not later than six months after the petition is finally determined to be sufficient. If no regular city election is to be held within the period prescribed in this subsection, the city council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election except that the city council may, in its discretion, provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred matter shall be available for view at the polls.

C. *Withdrawal of petition.* An initiative, referendum, or recall petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the city, by filing with the city clerk a request for withdrawal signed by at least four members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Sec. 9.7. - Results of election.

A. *Initiative.* If a majority of the registered voters voting on a proposed initiative ordinance, order, or resolve vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances, orders, or resolves of the same kind adopted by the city council. If conflicting ordinances, orders, or resolves are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

B. *Referendum.* If a majority of the registered voters voting on a referred ordinance, order, or resolve vote for repeal, it shall be considered repealed upon certification of the election results.

C. *Recall.* If a majority of the registered voters voting on a recall petition vote in favor of the petition, the office of the recalled official shall become vacant upon certification of the election results. If the election results or procedure is legally challenged by the recalled official, that person's right to serve in that office shall be suspended and the city shall not compensate that official pending the resolution of the legal proceeding.

Referred Ordinance: 11-03212022

City Council Ordinance

IN CITY COUNCIL

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

Whereas, the City Council adopted Ordinance 11-03212022, a Zoning Ordinance amendment to amend the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2); and

Whereas, a Petitioners' Committee was formed to gather a minimum of 1,648 signatures of registered voters in the City of Auburn in an effort to repeal said Ordinance; and

Whereas, the petition was filed with the City Clerk on July 6, 2022 and determined to be sufficient on July 21, 2022; and

Whereas, Section 9.6 of the Charter provides that when a referendum petition has been determined to be sufficient, the City Council shall promptly consider voting to repeal the referred ordinance; and

Whereas, if the City Council fails to repeal the referred ordinance within 30 days after the date the petition was finally determined to be sufficient, the City Council shall submit the referred ordinance to the voters of the City;

NOW, THEREFORE, be it ordained that the City Council hereby repeals Ordinance 11-03212022 that was adopted on March 28, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet
August 1, 2022

Council Workshop or Meeting Date: August 1, 2022 **Orders:** 113-08012022 through 120-08012022

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 8 city-owned properties that have the potential to create economic impact if sold. The Economic Development department will work with the city's contracted real estate broker to market the properties and identify potential uses.

City Budgetary Impacts: None

Staff Recommended Action: Approve the orders as presented

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: List of properties

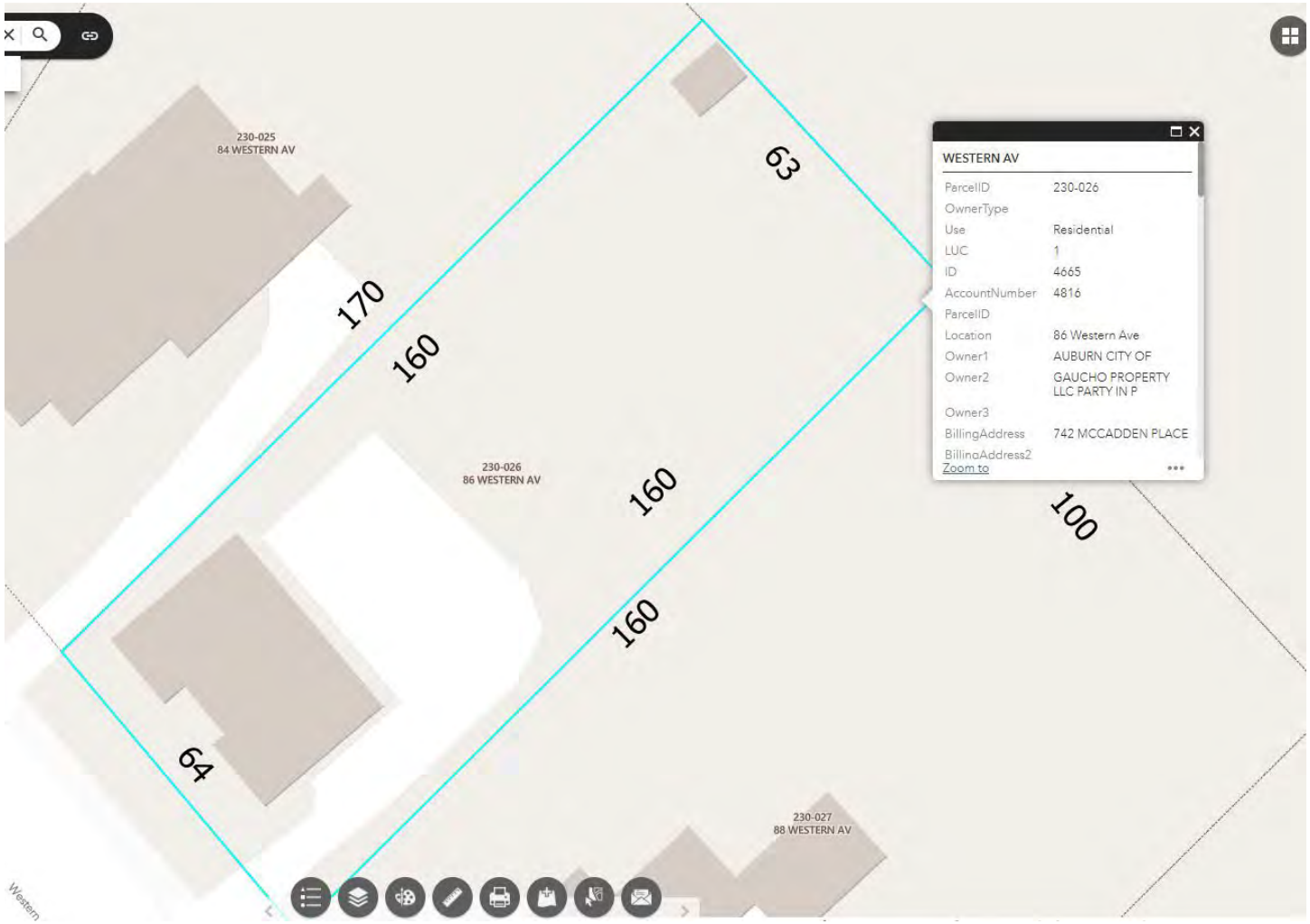
City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting August 1, 2022

Jay Brenchick, Director of Economic Development

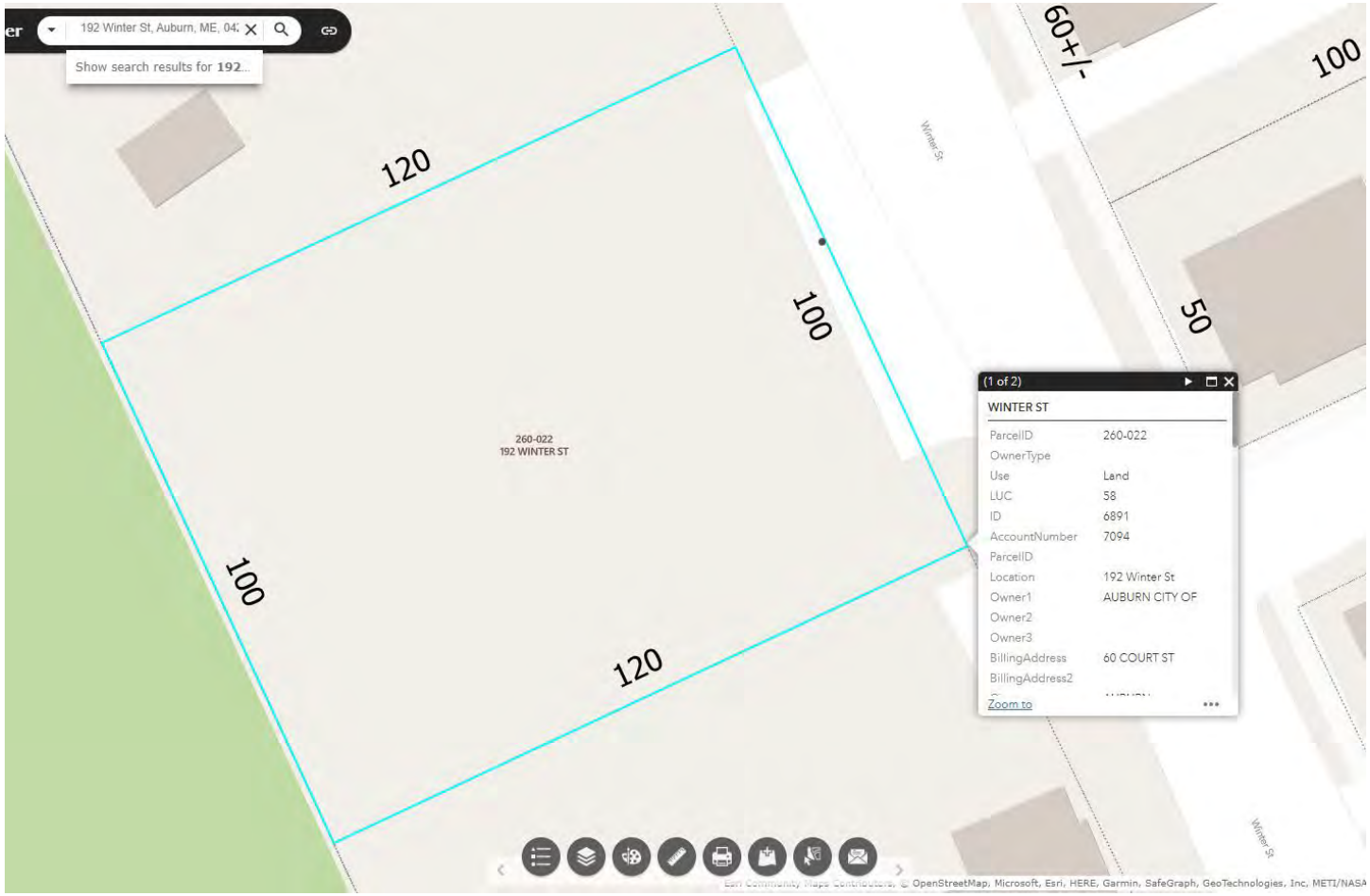
Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city's approve bid process. Applicants will be required to share a short narrative describing what they plan to build as well as the project's anticipated timeline and completion date.

Address	Description
86 Western Ave	Parcel ID: 230-026
192 Winter Street	Parcel ID: 260-022
103 Newbury Street	Parcel ID: 221-058
115 Newbury Street	Parcel ID: 221-055
369 Main Street	Parcel ID: 221-044
351 Main Street	Parcel ID: 221-048
Vickery Road Property	Parcel ID: 183-029
Winter Oak Property	Parcel ID: 191-101

86 Western Ave.
.23 +/- acres
Zoned: Traditional Downtown Neighborhood (T-4.2)

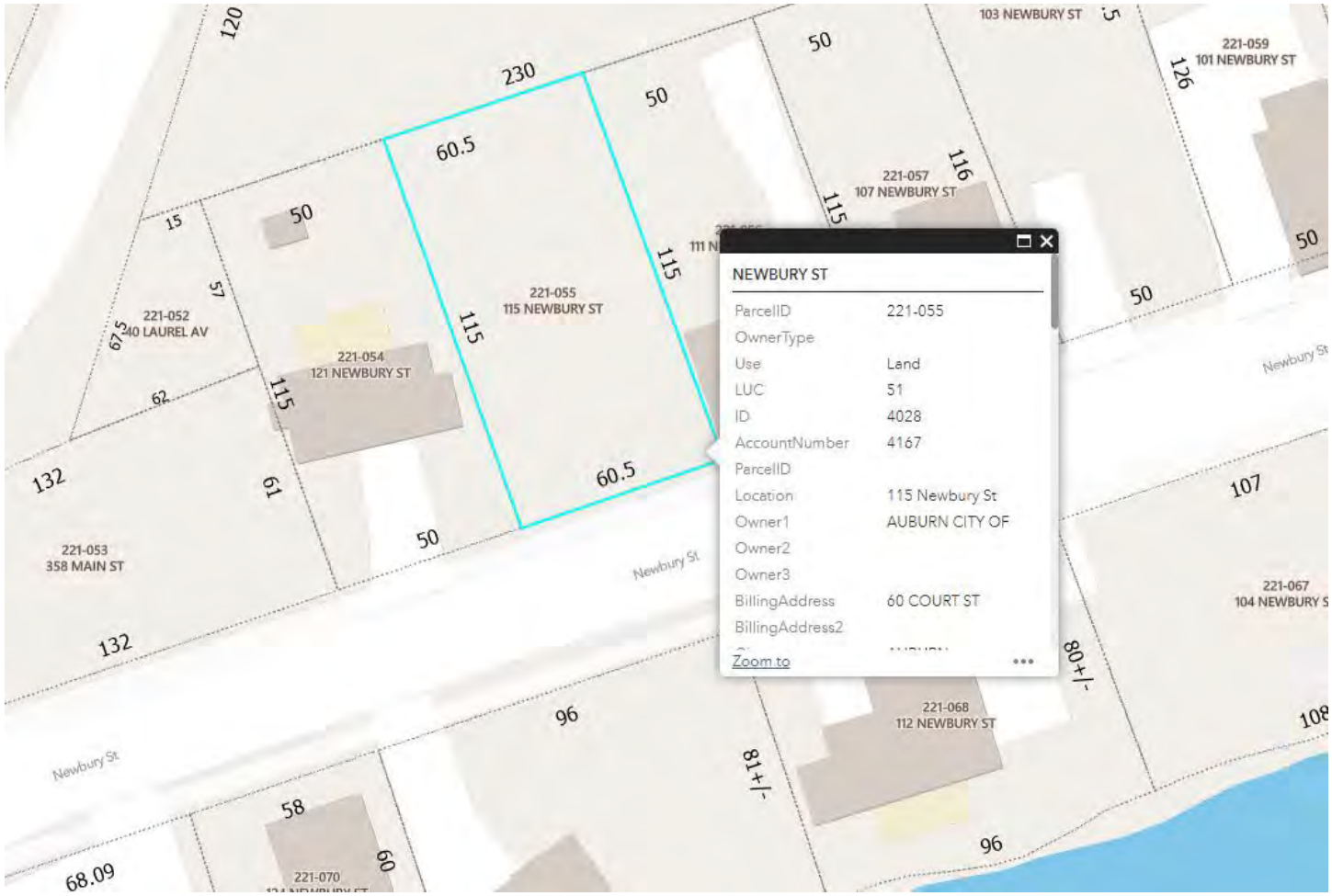


192 Winter Street
.28 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

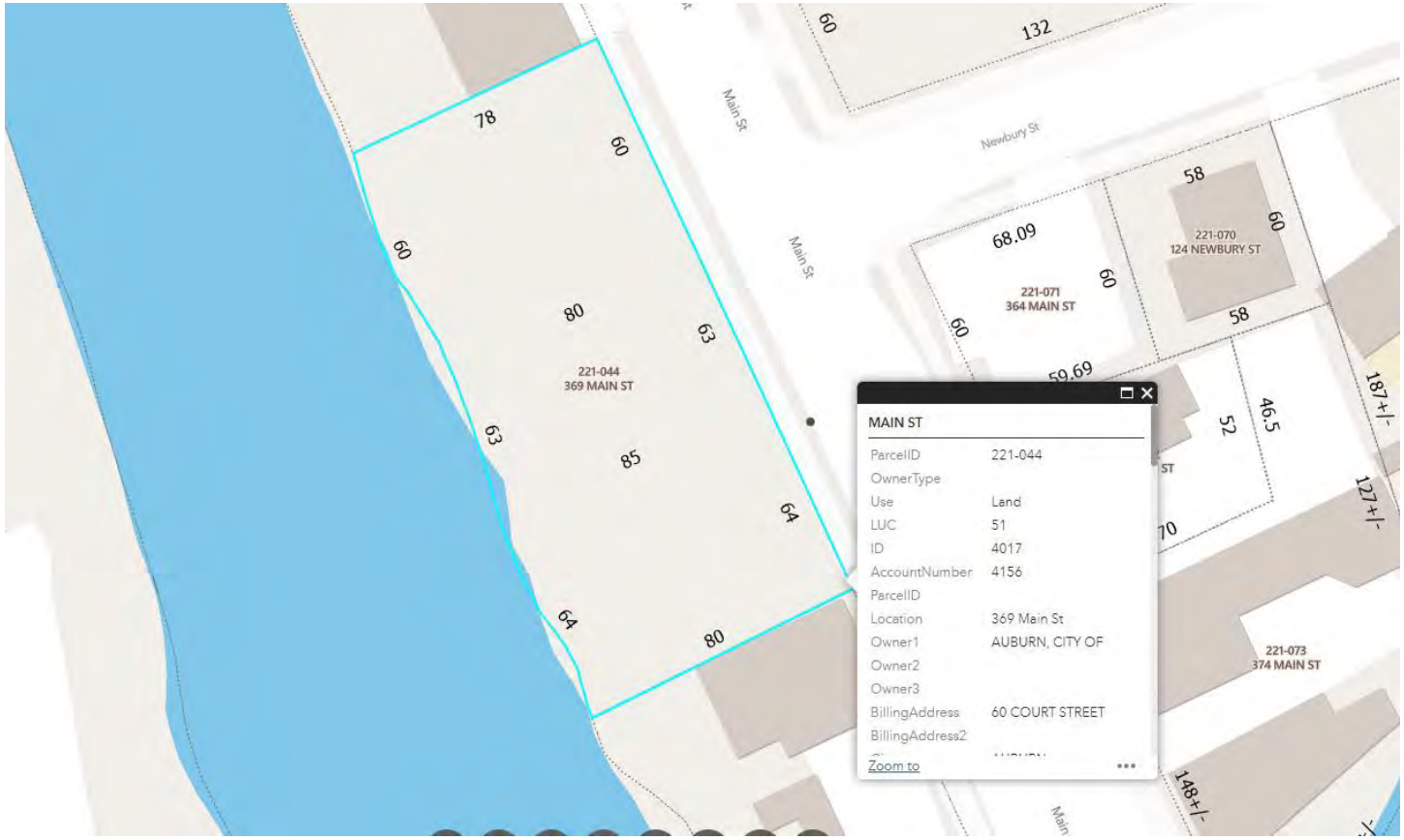


103 Newbury Street
.21 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

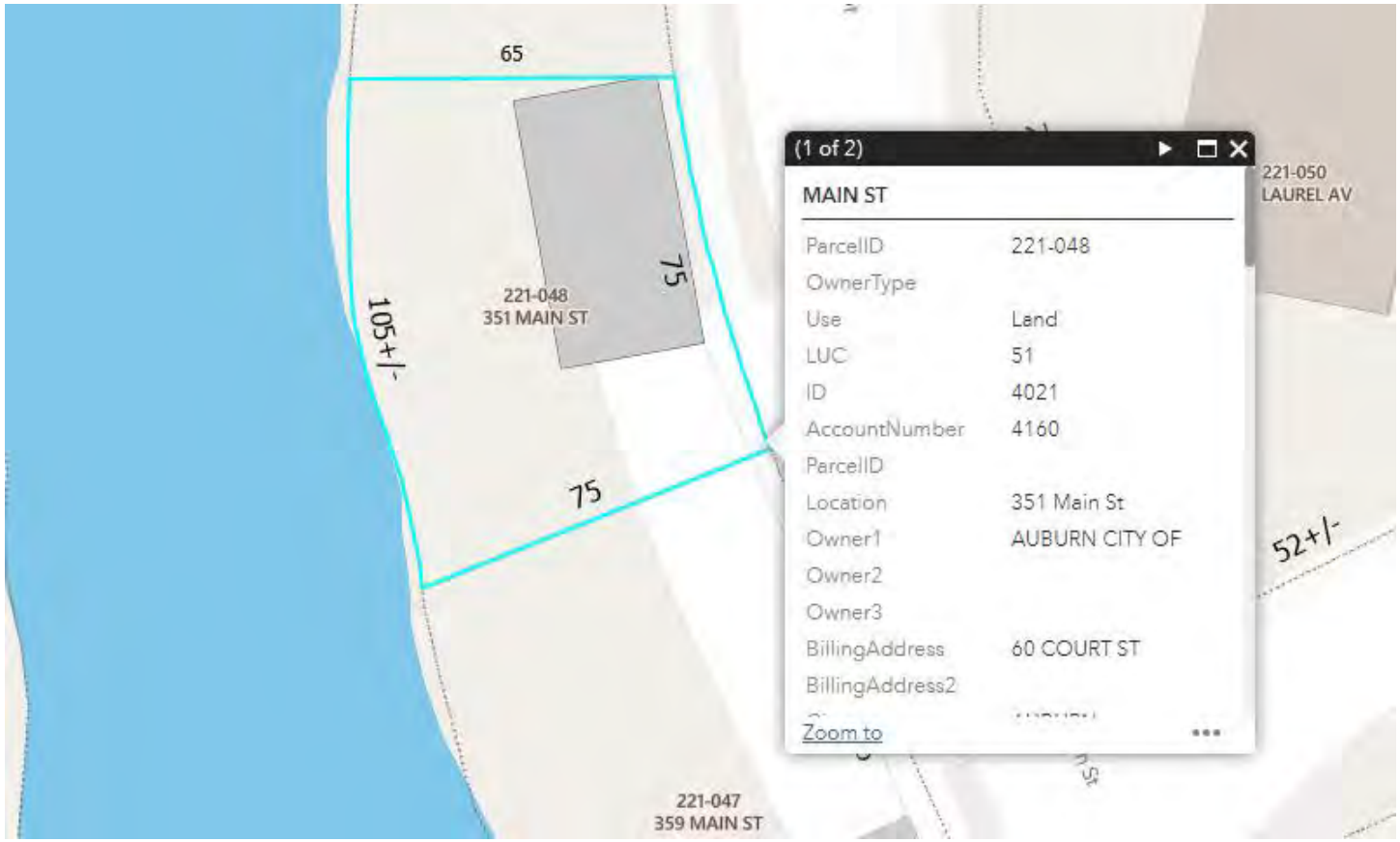
115 Newbury Street
.16 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



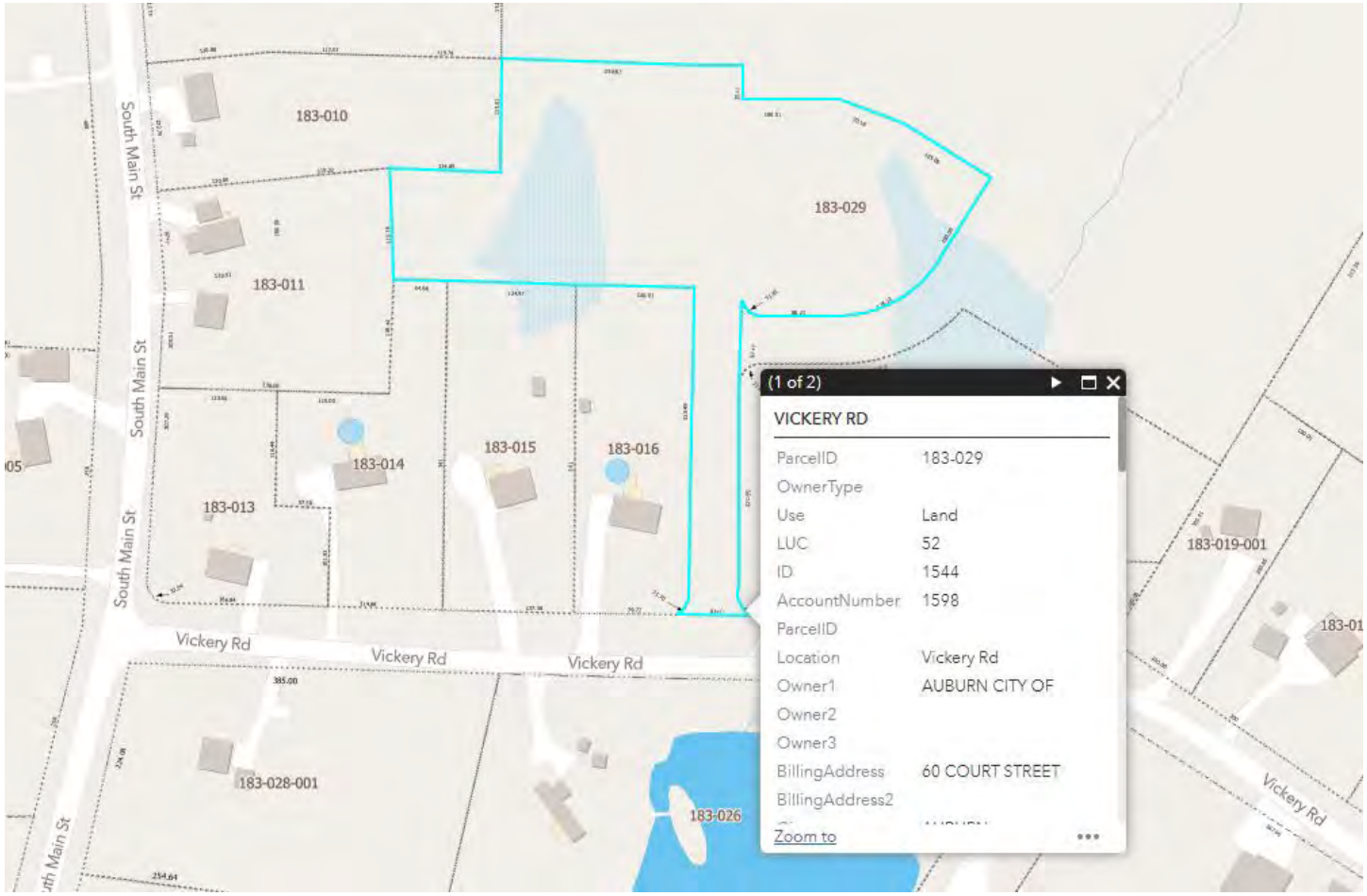
369 Main Street
.4 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



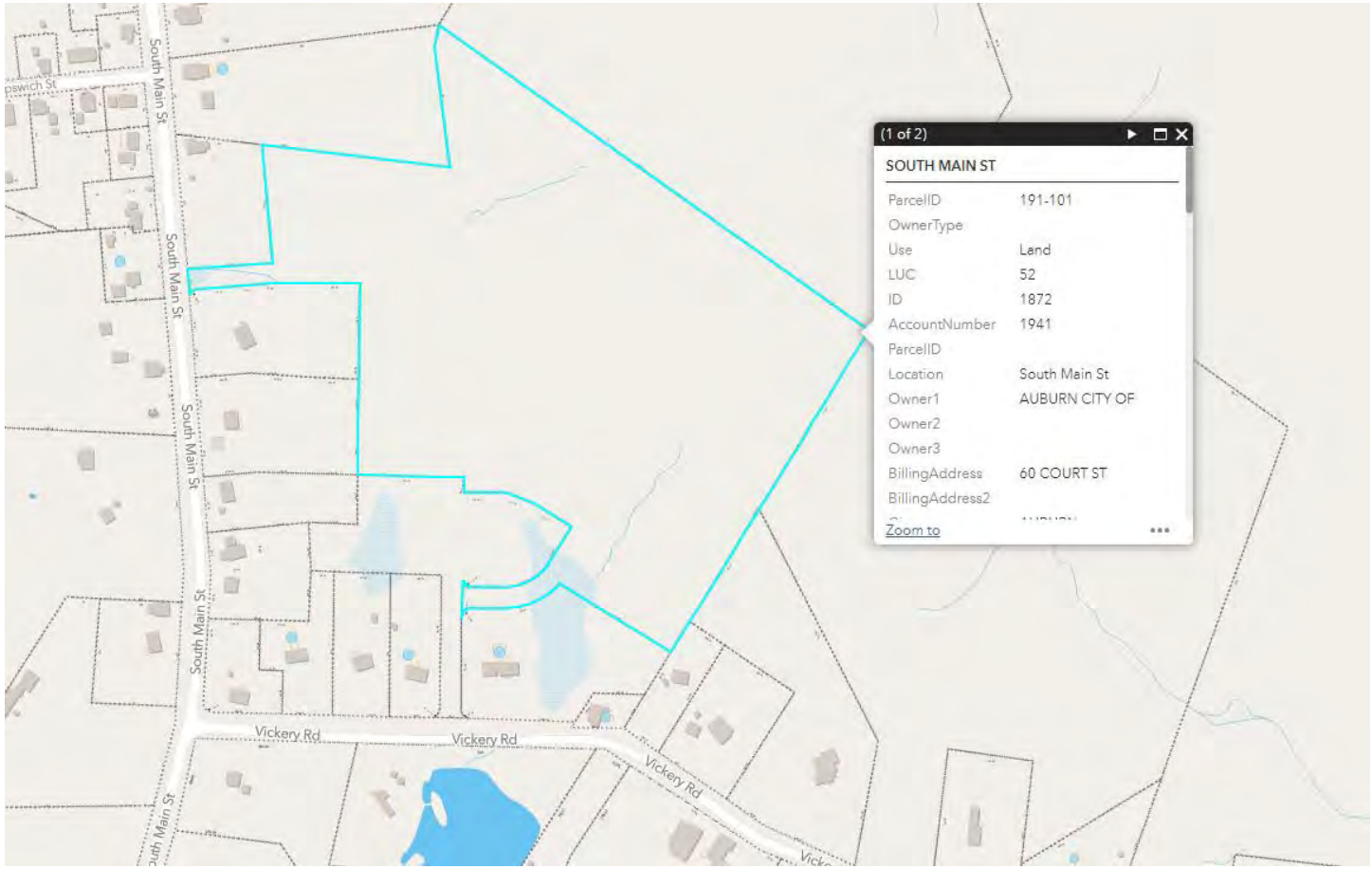
351 Main Street
.15 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



Vickery Road
Parcel ID 183-029
3.01 Acres +/-
Zoned: Multifamily Suburban



Winter Oaks Property
Parcel ID 191-101
34.24 Acres +/-
Zoned: Multifamily Suburban



ORDER 113-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 86 Western Ave. Parcel ID 230-026 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 114-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 129 Winter Street Parcel ID 260-022 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 115-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 104 Newbury Street, Parcel ID 221-067 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 116-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 103 Newbury Street, Parcel ID 221-058 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 117-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 369 Main Street, Parcel ID 221-044 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 118-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 351 Main Street, Parcel ID 221-048 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 119-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of Vickery Road Property, Parcel ID 183-029 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 120-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of Winter Oak Property, Parcel ID 191-101 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
August 15, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Assessing and Tax Relief Presentation – Karen Scammon and Joe St. Peter
- **B.** 180 Station Road Grant Application – Eric Cousens
- **C.** Transportation Safety Initiatives – Jonathan LaBonté

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

Pledge of Allegiance

I. Consent Items - None

II. Minutes

- August 1, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Washington Street Demonstration Safety Project – East Hardscrabble and Beech Hill/Danville Corner
- Lake Auburn Watershed Report Sub Surface Wastewater – Eric Cousens
- Public Safety Building – Brian Wood
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Order 115-08012022
Authorizing the marketing of city owned property located at 115 Newbury Street. Parcel ID 221-055.

2. Order 116-08012022
Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

3. Order 49-04042022
Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the November 8, 2022, Election. Public hearing and vote.

VI. New Business

1. Order 122-08152022
Approving the Incorporated Civic Organization Liquor License application for the City of Auburn, for the Riverwalk Blues & Brews Festival scheduled for September 10, 2022 in the Festival Plaza/Main Street area.

2. Order 123-08152022
Authorizing the City Clerk to waive the $75 business licensing fee (Peddler License) as requested by the Maine Blues Society, for the Riverwalk Blues and Brews Festival scheduled for September 10, 2022.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 15, 2022

Author: Karen Scammon

Subject: Tax Relief Programs

Information: Tax Deferral Program for Seniors, Senior Tax Stabilization Program

City Budgetary Impacts: TBD

Staff Recommended Action: Presentation and discussion

Previous Meetings and History: A portion of the Council presentation July 18, 2022, virtual town hall 8-8-2022 and upcoming in person presentation 9-7-2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: August 15, 2022

Author: Eric Cousens, Director of Planning and Permitting

Subject: 180 Station Road Junkyard Cleanup and MNRCP Grant Application

Information

The City tax acquired the illegal junkyard property at 180 Station Road. The tax acquisition took place after enforcement actions that lead to cleanup and then the property owner recreating a junkyard at the site. The City acquired two other sites from the same property owner and we have been funding one cleanup at a time. This property is next for a cleanup RFP and contract later this year. The site has a small useable area along the road and is very limited for reuse potential. The property is 1.7 acres in area with about 7,000 square feet of upland useable area. The City will remove all surface debris from the site but does not have any plans for redevelopment. The site is likely to continue to be problematic for illegal dumping because it is secluded on a dead-end industrial road.

In 2022, staff learned of available funding and were contacted by the Royal River Conservation Trust to see if the City would consider restoring the site floodplain and stream banks on the property. This may be a way to restore the stream and avoid future costs of maintaining the property as an attractive nuisance for easily dumping debris on the current filled area. Given limited reuse potential and the low value of the site staff recommends that we do this.

Staff Recommended Action: Consider allowing staff to apply for the grant and provide feedback or any objections.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Memo dated August 2, 2022 and tax maps.

Date:	August 2, 2022
To:	Eric Cousens (Auburn)
From:	Rodney Kelshaw (Flycatcher LLC)
CC:	Katelin Nickerson (Flycatcher) Evan Ma, and Katherine Cook (Auburn)
Subject:	Station Road Restoration Project and Maine Natural resources Conservation Program Overview

Hello Eric,

This memo was developed to provide an overview of the Station Road restoration project (Project) and the status of potential funding from the Maine Natural Resources Conservation Program (MNRCP). Flycatcher LLC is a local land use consulting firm and we have the skills and experience to help this Project achieve success. We are pursuing this Project because we believe it is an important site to clean up and restore due to its proximity to the stream, it aligns with the goals of the MNRCP, and because we believe we have something to offer in terms of our technical capabilities and experience with a wide variety of development and restoration projects. Lastly, it is important as part of the values of our company to do work that contributes to the betterment of our local environment and communities.

Project Description: The proposed Project is the removal of wetland fill removal and restoration of a historic floodplain of an unnamed tributary to Moose Brook on a tax-acquired parcel along Station Road in Auburn. Based on review of historic maps and aerial photos it appears the stream floodplain was filled to allow for construction of buildings and for associated storage. The buildings were removed, however the land is still occupied with old vehicles, machinery, invasive plant species and other surface debris that accumulated overtime during a previous residency. Wetland fill extends from the Station Road right-of-way directly to the banks of the Moose Brook tributary. To restore this wetland and streambank after refuse removal, fill will be removed down to the original floodplain elevation and regraded and revegetated to re-create a healthy stream floodplain. Some fill will remain along the right-of-way to allow for parking and the space between the wetland and parking will be graded to around a 3 to 1 slope. Currently, we are assuming there is no contamination beyond surficial oil staining. Sediment and erosion control best management practices (BMP's) will be maintained throughout construction. If selected this project will develop a comprehensive seeding and planting plan as well as an invasive management plan for the site. The small parking area along the Station Road right-of-way will be maintained with potential for a future trail along the railroad bed. Post-construction, the City of Auburn will assume long-term management of the property or will work with a local land trust to take over this aspect of the project.

Conservation values: The Project is located along a tributary of Moose Brook, which is a tributary of the Royal River. The Royal River is mapped as a wild brook trout priority habitat as well as habitat for a state listed species according to the Beginning with Habitat Map Viewer. As a headwater of the Royal River, the Royal River Conservation Trust has voiced support for this project as it aligns with Imperative #5 of their 2022 Conservation Plan: to restore and project the water, headwaters, and stream-side habitats of the Royal River. This project will restore a wetland that has been buried for a prolonged period of time, providing vital floodplain habitat within the watershed of the Royal River.

Maine's In Lieu Fee Compensation Program: A voluntary program that allows entities seeking permits for impacts to natural resources, primarily wetlands, from the Maine Department of Environmental Protection (MDEP) and/or the U.S. Army Corps of Engineers (Corps) to make a payment directly to the MDEP as an alternative to the traditional mitigation process. Fees are assessed based on the amount and type of resource impacted, the type of impact, and the location in the state. Fees collected by MDEP are deposited into funds based on the biophysical regions in which the impacts occurred. These funds are administered by The Nature Conservancy in Maine (TNC) through the MNRCP process.

MNRCP: MNRCP is funded through Maine's In Lieu Fee Compensation Program. It's used for projects that will help restore and protect high priority aquatic resources. These projects are presented by conservation groups, environmental consultants, municipalities and public agencies. The application process is administered by the MDEP and Corps. The funds are awarded every year through a grant process reviewed by a committee from the MDEP with representatives from the Corps, Maine Department of Inland Fisheries and Wildlife, Maine Department of Agriculture, Conservation and Forestry, Maine Natural Areas Program, Maine Department of Transportation, Maine Department of Marine Resources, Maine Audubon, U.S. Fish and Wildlife Service, and the U.S. Environmental Protection Agency. For restoration and enhancement projects, funds are usually disbursed in multiple increments based on project milestones, typically after the project work plan has been approved and after the restoration work has been completed. The details of the award disbursements can be adjusted to meet specific project needs. The final decisions on the winning proposals are made in November or December of each year.

MNRCP gives preference to projects that restore, enhance, preserve, or create resources that best match the natural resources and wetland functions and values that were impacted in that region.

Special Considerations: While MNRCP is designed to review and approve prospective projects through a process similar to other state and federal grant programs, it remains a compensatory mitigation program that must comply with relevant state and federal regulations. As such, there are several aspects of this program that should be considered fully before a potential applicant submits a full proposal:

- Restoration and enhancement projects are strongly encouraged and will likely score and rank higher than preservation projects.
- For restoration and enhancement projects, consultation with qualified professionals is recommended. To appropriately scope the feasibility of a project, to accurately estimate projects costs, and to design a successful restoration project, MNRCP recommends consultation with wetland consultants, engineers, or other qualified restoration practitioners. Note that the costs for professionals to assist with the project can be included in the MNRCP budget.
- Invasive species management to protect aquatic resources is eligible for MNRCP funding as part of a project's long-term management and stewardship costs.
- MNRCP-funded projects must be conserved in perpetuity. Conservation easements can be funded by MNRCP but must prohibit any activities that would adversely affect the protected natural resources, and must provide third party enforcement rights for MDEP and the right of entry for MDEP and the Corps.
- MNRCP funds may not be eligible to match some federal funding sources.

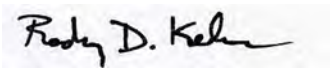
*Flycatcher is currently working towards finding a partner to oversee the long-term management of the project.

Criteria for proposed projects:

1. Potential to meet MNRCP Goals - Sustainably restores, enhances, preserves, or creates wetlands or other resources determined by the MNRCP to be Priority Resource Types.
2. Landscape context - Consider the location of a potential project relative to statewide focus areas for land conservation or habitat preservation identified by a state or federal agency, or other regional or municipal plans.
3. Project Readiness/ Feasibility - Ability of the project to meet MNRCP goals as stated in the proposal. Assesses the extent to which the proposal meets the core program requirement to provide for long-term management and/or stewardship by a responsible state or federal resource agency, or conservation organization
4. Cost effectiveness - Project represents an efficient use of funds expended given the condition, location, and relative appraised values of the property
5. Other Benefits - Support economic activity, job creation, recreational access, scenic enhancements, climate change resiliency, environmental justice or equity considerations, educational opportunities, or other contributions to "Quality of Place" in the town or region where the project is located. For projects involving acquisition of land, documented support from the municipality in which the project is proposed is encouraged.

Flycatcher: Flycatcher's staff is composed of soil scientists, wildlife biologists, wetland scientists, and environmental planning and permitting specialists. We are pursuing this work to support restoration efforts in our local communities, to provide meaningful projects for our staff, and provide technical support for projects we believe in. With our office located on the Royal River in Yarmouth, this project will directly impact the watershed where we spend much of our time. Flycatcher is excited to help the city of Auburn with the development of a full proposal for this Project. We are grateful to have the resources to provide upfront support for the proposal at no cost to the City, because we are confident this Project will be selected by MNRCP. If the full proposal is successful, we plan to utilize funding from the MNRCP grant to compensate our current and future efforts of supporting this Project.

Based on these considerations and feedback from representatives of the MNRCP, we believe this Project is a strong candidate to be selected for funding. With permission from the city of Auburn, Flycatcher submitted a Letter of Intent to MNRCP in early July, 2022. Based on their review MNRCP has invited us to submit a full proposal for the project for consideration for funding by the program. This full proposal is due on September 8, 2022. With the support of the City of Auburn, we propose to prepare a full proposal for submittal to MNRCP. Funding decisions will be made by the end of the year, and, if selected, the Project will be required to provide a restoration work plan to be submitted to MNRCP for approval prior to commencing the work. The project will be for restoring the site, and the City can proceed with site clean up without waiting for approval of the rest of the project. The enclosed acceptance letter from MNRCP outlines this process, we have also attached a Project location map as well as images of the site. Please contact me with questions and thanks again for allowing us to work with you on this project.



Rodney Kelshaw (CPSS, LSS, CPESC, LSE, PWS, CWB)
Managing Partner/Senior Scientist
C: (207) 944-6776

Attachment 1 – MNRCP Acceptance of Letter of Intent

From:	Bryan Emerson
To:	Katelin Nickerson
Cc:	Susan Caldwell; Nancy Olmstead; Jeffrey Tash
Subject:	MNRCP LOI: Station Road Wetland Restoration
Date:	Friday, July 15, 2022 12:22:20 PM
Attachments:	image001.png MNRCP 2022 RFP_final.pdf MNRCP 2022_Proposal Outline.docx MNRCP_2022_Budget_template.xlsx MNRCP_RestorationPlanGuidance_April2022.docx

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Katelin,

Thank you again for your interest in the Maine Natural Resource Conservation Program (MNRCP). We reviewed your Letter of Intent for the **Station Road Wetland Restoration Project** and would like to invite you to submit a Full Proposal for this project. I have attached the Request for Proposal document which provides details on the Full Proposal process. I have also attached a Full Proposal Outline in MS Word format, the Project Budget template in MS Excel format, and the MNRCP guidelines for Restoration Work Plans. The Restoration Work Plan does not need to be submitted with the proposal and is provided for reference only at this time.

Kristen Puryear at the Maine Natural Areas Program has time available this summer to visit MNRCP proposal sites to perform a natural resources inventory and to assist applicants in evaluating aquatic resource restoration or enhancement opportunities. We encourage you to contact Kristen soon to discuss a potential site visit (Kristen.Puryear@maine.gov or 287-8043) and if possible, include the results of the natural resources inventory with the Full Proposal.

We also want to highlight some areas that would benefit from more detail in your Full Proposal:

1. Please confirm that the City of Auburn would be willing to record a Notice of Project Agreement (example included in the RFP) with the deed for this property to ensure long-term compliance with the MNRCP Project Agreement.
2. Note that a long-term management plan will be required for the site as well. Costs for development of this plan can be included in the project budget.
3. Is an Environmental Site Assessment complete or planned for this property, prior to the restoration work occurring? We note the contamination risk at the site and will require more information on the scope of contamination in the proposal, if possible.
4. Note that the full proposal will require a conceptual design or sketch of the proposed restoration work. The conceptual design should also include a reference site, if possible. This reference site should have vegetation and hydrology conditions similar to what is proposed for the restoration area and can serve as a target for defining performance standards for the project. A complete design plan, including any required engineering plans, is not required at the time of proposal.
5. Reviewers questioned whether enough budget was included in the Letter of Intent. Please confirm that enough budget has been allocated for development of the work plan, implementation of the project, and long-term monitoring and management.
6. Related to budget, MNRCP allows for contingency funds to be included in the budget. These funds can be included in the project award, but the Project Agreement will be drafted so that

the contingency funds are only disbursed if needed. MNRCP recommends including some contingency funding in the budget.

Please note that the deadline for submitting your Full Proposal is **5:00PM on September 8, 2022**. Full Proposals may be submitted via email to me or to maineresources@tnc.org.

Please let me know if you have any questions or if any further clarification would be helpful.

Thank you again for your interest in MNRCP. We look forward to learning more about your proposed project.

Sincerely,

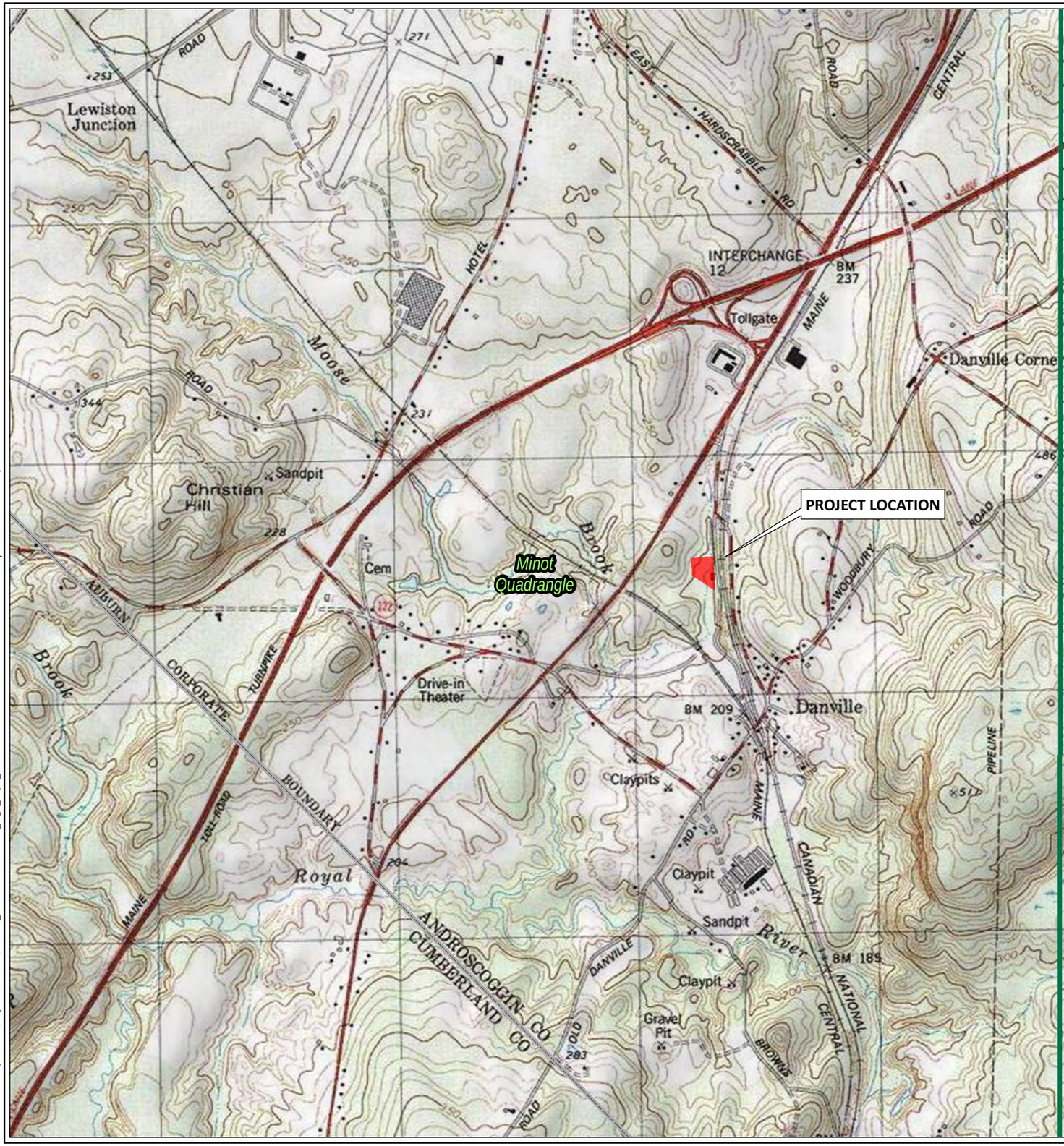
--Bryan

Bryan Emerson
Mitigation Program Manager
The Nature Conservancy in Maine
14 Maine Street, Suite 401
Brunswick, ME 04011
bryan.emerson@tnc.org
Cell: (207) 317-1699

Attachment 2 - Project Location Map

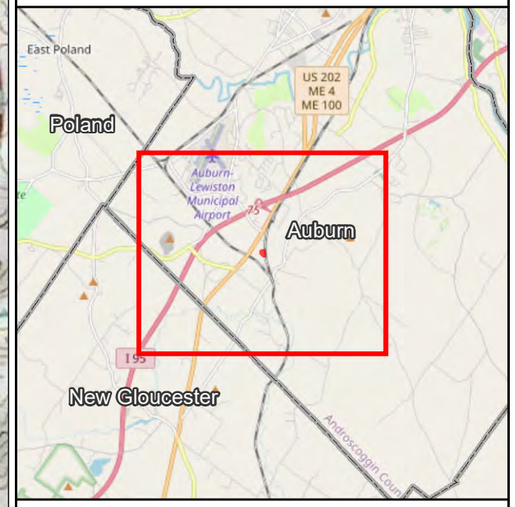
Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet (Foot US)
Map Rotation: 0

Plot Date: 6/29/2022, 08:20:29 AM by JAKEN -- LAYOUT: ANSI B(11"x17")
Path: D:\Flycatcher\Projects\Auburn\Auburn_WetlandRestoration_Fig1_Topo_11x17L.mxd



LEGEND

- PROJECT LOCATION (180 STATION ROAD)
- USGS 7.5-MINUTE QUADRANGLE BOUNDARY
- TOWN BOUNDARY



NOTES:

1 BASEMAP IMAGERY FROM USGS 7.5' QUADRANGLE SERIES.

N

0 1,500 3,000
Feet

1 " = 1,500 '
1:18,000

PROJECT:

CITY OF AUBURN
PROPOSED WETLAND RESTORATION
ANDROSCOGGIN COUNTY, MAINE

TITLE:

PROJECT LOCATION MAP

DRAWN BY:	D. KENWORTHY	PROJ NO.:	PP
CHECKED BY:	J. HUTCHINSON		
MONTH:	JUNE		**FIGURE 1**
YEAR:	2022		

Flycatcher LAND + SCIENCE + PEOPLE

auburnmaine.gov

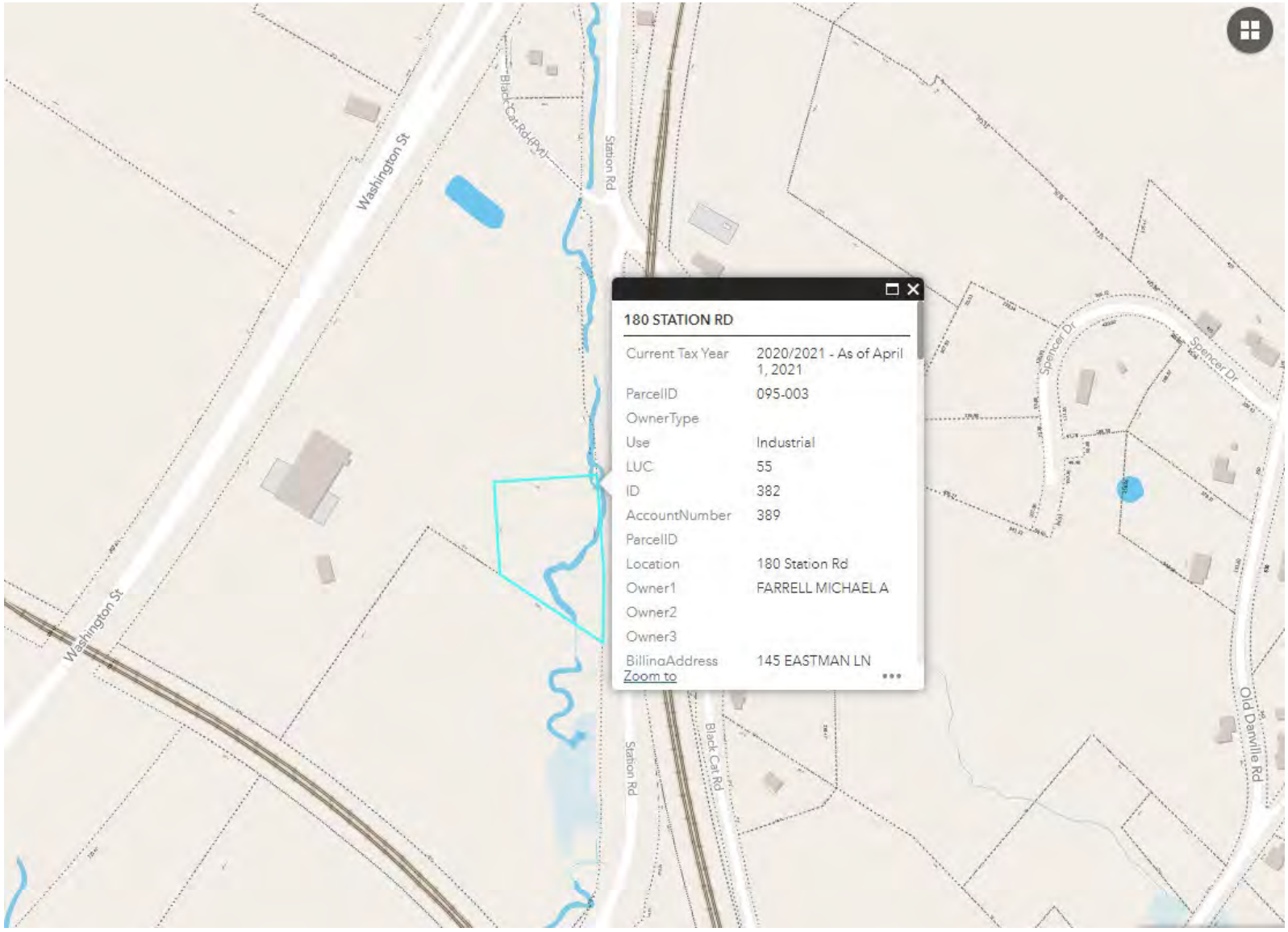
FILE NO.: Auburn_WetlandRestoration_Fig1_Topo_11x17L.mxd

Flycatcher
LAND + SCIENCE + PEOPLE

Attachment 3 - Photographs

Photo 1: Upstream from top of left bank
Flycatcher June 15, 2022

Photo 2: Downstream form top of left bank
Flycatcher June 15, 2022


Washington St
Black Cat Rd (Pvt)
Station Rd
Spencer Dr
Spencer Dr
Old Danville Rd
Black Cat Rd
Station Rd
Washington St
180 STATION RD
Current Tax Year 2020/2021 - As of April 1, 2021
ParcelID 095-003
OwnerType
Use Industrial
LUC 55
ID 382
AccountNumber 389
ParcelID
Location 180 Station Rd
Owner1 FARRELL MICHAEL A
Owner2
Owner3
BillingAddress 145 EASTMAN LN
Zoom to

ID 382
AccountNumber 389
ParcelID
Location 180 Station Rd
Owner1 FARRELL MICHAEL A
Owner2
Owner3
BillingAddress 145 EASTMAN LN
Zoom to

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 15, 2022

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: Transportation Safety Initiatives

Information:
As part of the evaluation and analysis of the city's transportation efforts, specific near-term opportunities to pursue improved safety for residents and those traveling in and through the community have been identified.

For context, the 2010 and 2021 Comprehensive Plans both included the same language to open the vision statement for Auburn's transportation infrastructure. They state that "Auburn's transportation network of roads, sidewalks, and bike lanes along with rail, air, and mass transit systems provide all users with safe and equitable movement throughout the community and beyond."

The 2019 Strategic Plan includes a focus on safety in the community with vision that states "Auburn will be a community that balances urban & rural living, with safe, sustainable, livable neighborhoods that are well-connected..." A recommendation of that plan is to "Address identified public service and infrastructure needs."

The following intersections/road segments will be highlighted during the workshop, except for Washington Street, which will be discussed during Presentations during the City Council meeting.

Pedestrian Safety:
Gamage Avenue, Union Street, Court Street (connections to Edward Little), Turner Street between Court Street and Great Falls Plaza and at Dennison Street

Highway Safety:
Poland Rd and Rodman Rd (intersection), Minot Ave (segment from Hatch Rd to Hotel Rd), Center St (Union St to Stetson Rd)and Washington St (East Hardscrabble and Beech Hill/Danville Corner)

City Budgetary Impacts: N/A

Staff Recommended Action: Council Resolve in Support of Center Street Safety Action Plan Grant Application

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Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

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

Pledge of Allegiance

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

1. Order 106-08012022*
Confirming Chief Moen's appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.

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

Passage 7-0.

II. Minutes

July 11, 2022, Special Council Meeting

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

Passage 7-0.

July 18, 2022, Regular Council Meeting

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

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

IV. Open Session –

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

V. Unfinished Business

1. Order 83-06062022
Allocating $300,000.00 of ARPA Funding to create a two-year pilot program called "Project Support You – Auburn".

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

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Milks opposed).

2. Ordinance 16-06062022
Approving the zoning amendment for 278 Poland Road. Second reading.

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

Public comment –

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

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

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

3. Ordinance 18-07182022
Extending the moratorium on public safety, detention, and correctional facilities. Second reading.

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

Public comment – No one from the public spoke.

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

4. Ordinance 19-07182022
Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Second reading.

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

Public comment – No one from the public spoke.

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

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

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

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

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

Public comment – No one from the public spoke.

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

VI. New Business

1. Order 109-08012022
Approving the liquor license for Make Dough, LLC., DBA Otto, Auburn located at 730 Center Street. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

2. Order 110-08012022
Adopting the Auburn-Lewiston Consortium HOME-ARP Plan. Public hearing and vote.

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

Public hearing - No one from the public spoke.

Passage 7-0.

3. Order 111-08012022
Approving the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development (TIF) program. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 112-08012022

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

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

Public comment- No one from the public spoke.

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

Passage 6-1 (Councilor Whiting opposed).

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

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

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

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

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

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

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

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

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

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

6. **Order 113-08012022**

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

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

Public comment – No one from the public spoke.

Passage 7-0.

7. **Order 114-08012022**
Authorizing the marketing of city owned property located at 192 Winter Street. Parcel ID 260-022.

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

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

Public comment – No one from the public spoke.

Passage 7-0.

8. **Order 115-08012022**
Authorizing the marketing of city owned property located at 104 Newbury Street. Parcel ID 221-067.

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

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

Passage 7-0.

9. **Order 116-08012022**
Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

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

Public comment – No one from the public spoke.

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

Passage 7-0.

10. **Order 117-08012022**
Authorizing the marketing of city owned property located at 369 Main Street. Parcel ID 221-044.

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

Public comment – No one from the public spoke.

Passage 7-0.

11. **Order 118-08012022**
Authorizing the marketing of city owned property located at 351 Main Street. Parcel ID 221-048.

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

Public comment – No one from the public spoke.

Passage 7-0.

12. **Order 119-08012022**
Authorizing the marketing of city owned property located on Vickery Road. Parcel ID 183-029.

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

Public comment - No one from the public spoke.

Passage 7-0.

13. **Order 120-08012022**
Authorizing the marketing of city owned property, Winter Oak, parcel ID 191-101.

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

Public comment - No one from the public spoke.

Passage 7-0.

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

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

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

IX. **Executive Sessions -** None

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

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

TECHNICAL MEMORANDUM | LAKE AUBURN MODEL

TO: Eric Cousens, City of Auburn, Maine

FROM: Laura Diemer, FB Environmental Associates

SUBJECT: Memorandum on Modeling 2022 Proposed Ordinance Changes

DATE: August 1, 2022

CC: Forrest Bell & Maggie Kelly, FB Environmental Associates

The City of Auburn requested FB Environmental Associates (FBE) to evaluate proposed ordinance changes for their potential effects on land use and development in the Lake Auburn watershed and associated impacts to lake water quality. The purpose of this memorandum is to 1) summarize the proposed ordinance changes that the City of Auburn deliberated in May 2022 and 2) describe the modeling work that was completed which simulated the impact that the proposed ordinances changes will have on land use and development in the watershed and subsequent lake water quality.

BACKGROUND

This work follows up on a comprehensive analysis that FBE, along with Horsley Witten Group and Dr. Adam Daigneault of the University of Maine, conducted for the City of Auburn in 2021. For that analysis and subsequent report, FBE ran a buildout analysis and a coupled watershed-lake model that estimated phosphorus loading from the watershed to Lake Auburn and subsequent in-lake water quality conditions. The calibrated baseline watershed-lake model was run for several future scenarios that simulated in-lake water quality conditions under different watershed development conditions. With the calibrated baseline watershed-lake model, additional future scenarios can be run based on changes to the underlying model inputs and/or assumptions.

PROPOSED REGULATORY CHANGES & MODELING APPROACH

The proposed ordinance changes that FBE were given to consider are in Section 60-952 (the Lake Auburn Watershed District Overlay) and Section 60-1066 (the Phosphorus Control Ordinance). The ordinance changes with implications for the modeling effort are described in Table 1.

For carrying out the model run, the first step was to update the buildout analysis to account for the new ordinances. A buildout analysis uses existing or in this case proposed ordinances, existing natural features, and other development constraints to estimate the number and location of new buildings possible under the simulated zoning. Once the buildout analysis was complete, the results were input to the watershed-lake model. FBE started with the "Business As Usual + LID" model scenario and made adjustments to the new model run to account for the proposed ordinance changes, which included changing the number of projected new buildings (for Auburn only) and agricultural land area within the 100 ft buffer of surface waters[1] (refer to Table 1).

[1] Note for future model runs: with the anticipated decline in existing agricultural land area in the watershed, these agricultural lands were assumed to likely be replaced by new development; however, there were instances where the anticipated increase in development was less than the anticipated decline in agricultural lands which were then assumed to lay fallow and regenerate into forest. Overall, the new model run estimated up to 39 acres of regenerated forest by 2100. It may be more practical to convert these agricultural lands to open land rather than forest in the model unless the agricultural lands are managed and protected as forested land. Open land has a slightly higher phosphorus export compared to forested land, so this change in assumption would minorly increase the total phosphorus load estimate.

Table 1. Summary of existing ordinances and their proposed changes, along with a description of the modeling approach to account for these proposed ordinance changes.

Category	Existing Ordinance	Proposed Ordinance	*Model*: Modeling Approach
Agricultural Buffer Strips	In Section 60-952 (c), for tilled agricultural lands adjoining the lake or its perennial tributary streams, the width of untilled agricultural buffer strips is 50 feet.	The proposed ordinance changes the setback to 100 feet.	*Watershed-Lake Model:* FBE found the intersection of agricultural land use and a 100 ft buffer from Lake Auburn and its ponds and perennial tributaries (within the City of Auburn) and manually changed any agriculturally classified land use as open land, assuming that property owners will be required to reforest or lay fallow tilled fields within 100 ft of those surface waters. FBE identified 0.82 hectares (2.01 acres) and 2.26 hectares (5.58 acres) of agricultural land use within a 50 ft and 100 ft buffer, respectively, from Lake Auburn and its ponds and perennial tributaries (within the City of Auburn) (Table 2). Note that this desktop analysis was performed at a coarse scale, and some of these agricultural areas may be outside of the buffer zone if measured in the field. **Converting the 2.26 hectares (5.58 acres) of agricultural land use to open land for this new model run includes the 0.82 hectares (2.03 acres) of agricultural land within the existing 50 ft buffer restriction and posed as a minor limitation to directly comparing the results between the model runs since the "Business As Usual" model scenario considered some agricultural land within the 50 ft buffer despite existing regulations.**
Subsurface Disposal Systems (Septic Systems)	Section 60-952 (f) (1) currently prohibits the siting of systems where there is less than 36 inches of vertical separation from the bottom of the organic horizon and the nearest "limiting factor" (bedrock, seasonal water table, occluding layer of clay or other mineral that would prevent drainage). This vertical separation must be achieved by previously in-situ soils or sediments, disallowing the use of fill materials.	The proposed change allows for siting of septic systems where there is 12 inches of in-situ vertical separation between the bottom of the disposal field and the limiting factor, a standard that is consistent with the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 (a.k.a., Chapter 241). In addition, the revised section would allow the use of suitable fill materials to achieve a total of 36 inches of vertical separation, which is retained from the old rules.	*Buildout Analysis*: Using county-level NRCS soil series data, we updated the development constraints input to show areas with restrictive layers within 12" of the surface (compared to 36" originally).
	Section 60-952 (f) (2) currently prohibits the siting of septic systems within 300 feet of the high-water line where soils are described as deep, loose, and sandy containing 70 percent sand.	The proposed change prohibits the siting of septic systems within 400 feet of the high-water line where soils are profiled as gravel outwash or stratified drift as shown in Table 4D (profiles 5, 6, and some of 11) of Chapter 241.	*Buildout Analysis*: We expanded the target area from 300 to 400 ft around Lake Auburn and its ponds and tributaries. FBE roughly matched soil series (from county-level NRCS data) in the watershed to 5, 6, and 11 soil profiles in Table 4D of Chapter 241. However, the soil profiles in Table 4D are broadly applicable to several soil series under different environmental conditions and likely do not reflect true parcel-by-parcel variability in septic system siting restrictions. FBE's approach of excluding only those soil series that are definitively not 5, 6, and 11 soil profile types is conservative for development potential, showing nearly the entire 400 ft buffer as restricted from development. Practical field application of the Table 4D rules would likely be less restrictive, but there is no way of knowing the extent of the difference without field evaluations by a Licensed Site Evaluator. FBE confirmed this limitation with Daniel Locke, a Professional Geologist and Licensed Site Evaluator with the Maine Geological Survey. **Thus, the buildout analysis results for the new model run likely underestimated new building potential. There were 23 projected new buildings identified within the 300 ft buffer under the "Business As Usual" model scenario that the new scenario run using the Table 4D soil profiles excluded and therefore potentially underestimated development along the shoreline.**
Zoning Change	Approximately 1,038 acres are proposed to be rezoned from Rural Residential to Low-Density Country Residential. If carried out, this change will result in minimum three-acre lots where previously the minimum lot size was one acre.		*Buildout Analysis*: We rezoned Rural Residential to Low-Density Country Residential in the Auburn portion of the watershed so that the minimum lot size increased from 1 to 3 acres.

Category	Existing Ordinance	Proposed Ordinance	*Model*: Modeling Approach
	Auburn's Chapter 60 – Zoning, Article IV. – District Regulations, Division 2 – Agriculture and Resource Protection District use regulations provide restrictive standards for new development and are only approved on a case-by-case basis.	No change.	*Buildout Analysis*: We removed new development in the Agriculture and Resource Protection Zone. **The original "Business As Usual" model scenario showed 74 projected new buildings in the Agriculture and Resource Protection Zone, which posed as a limitation to directly comparing the results between the model runs.**
Phosphorus Control Plans	Section 60-1066 (1) concerns the applicability of the ordinance, with any new building or structure of 575 square feet of ground floor area requiring the creation of a Phosphorus Control Plan – essentially a detailed stormwater management plan that includes estimated phosphorus loading calculations.	The proposed change requires any new building of 200 square feet of ground floor area to develop a Phosphorus Control Plan, making the applicability much broader.	*Watershed-Lake Model:* For the broader application of Phosphorus Control Plan requirements on new development in the watershed, we will want to consider the fact that the change from 575 square feet to 200 square feet would largely only extend phosphorus controls to accessory buildings or additions since primary dwellings are already required to submit a Phosphorus Control Plan. In addition, the "Business As Usual" model scenario did not account for low impact development (LID) standards that would be implemented as a result of a Phosphorus Control Plan, so we recommend comparing the new model run results to the "Business As Usual + LID" model scenario. According to the Phosphorus Control Ordinance, the per-acre phosphorus allocation for new development in the Lake Auburn watershed is 0.047 lbs. per acre (0.060 lbs. per acre when including background levels) which would amount to 0.180 lbs. per year on a 3-acre lot. The phosphorus export for low density residential development assumed in the model is roughly 0.652 lbs. per acre. Applying LID adjustments (30% less impact area, 70% reduced phosphorus export) lowers the phosphorus export for low density residential development to roughly 0.121 lbs. per acre which would amount to 0.170 lbs. per year on a 3-acre lot with 1 acre of developed area and 2 acres of forest land. Despite the model appearing to meet the allowable phosphorus allocation per built lot, it is important to note that these are rough average estimates since the model adjusts the phosphorus export from any given parcel of land based on accumulation and runoff with dry and wet spells. There may be times when the phosphorus export is lower than the allowable phosphorus allocation and other times when it is higher. **Note**: The City of Auburn uses 450-ft-deep "residential strips" to effectively limit the construction of new roads in rural areas, most especially in the Lake Auburn watershed. Therefore, our assumption that each new building will slightly increase the amount of roadway in the area may not be applicable at least in the Auburn portion of the watershed. In addition, most new built lots in the watershed are less than one-half acre of developed area as opposed to the model assumption of one-acre (which was based on the average existing developed area per existing building in the watershed). Adjusting these model assumptions should be considered in a future model run but will likely have a negligible impact to the total phosphorus load and in-lake total phosphorus concentration.

Table 2. Agricultural land cover by sub-basin within a 50 ft and 100 ft buffer from Lake Auburn and its ponds and perennial tributaries (within the City of Auburn).

Basin Name	Land Cover	50 ft Buffer		100 ft Buffer	
		Area (hectares)	Area (Acres)	Area (hectares)	Area (Acres)
Townsend Brook	Cropland	0.01	0.02	0.01	0.02
Townsend Brook	Hay/Pasture	0.77	1.89	1.94	4.78
West Auburn Rd-Youngs Corner-Gracelawn-Summer St	Cropland	0.04	0.10	0.31	0.78
	Total	**0.82**	**2.01**	**2.26**	**5.58**

NEW MODEL RUN RESULTS

Results of the buildout analysis incorporating the 2022 ordinance changes compared to the original baseline buildout analysis are provided in Tables 3 and 4 and shown in Figures 1-3. The ordinance changes only impacted the Auburn portion of the watershed, reducing the total buildable area by 955 acres and the number of projected new buildings by 155. However, these results reflect adjustments made to the buildout assumptions that more accurately apply existing ordinances. For example, new development in the Agriculture and Resource Protection zone was removed which accounted for 928 acres of buildable area and 74 projected new buildings. In addition, there were 23 projected new buildings identified within the 300 ft buffer under the original baseline buildout that the ordinance changes conservatively excluded due to the limitations of using the Table 4D soil profiles. Accounting for these adjustments, the ordinance changes directly reduced the total buildable area by 27 acres and the number of projected new buildings by 58. This indicates that the expansion of buildable area with the lifting of the septic system siting restriction (changing from 36" to 12" to limiting factor) was effectively offset by the reduction of buildable area with the rezoning of Rural Residential to Low Density Country Residential (changing from 1-acre to 3-acre minimum lot size).

Results of the watershed-lake model are provided in Table 5. The new model run reflecting the 2022 ordinance changes and other adjustments resulted in a predicted total phosphorus load of 937 kg/yr and an in-lake total phosphorus concentration of 9.3 ppb. Compared to the "Business As Usual + LID" model scenario, the ordinance changes and other adjustments reduced the total phosphorus load by 6 kg/yr and the in-lake total phosphorus concentration by 0.1 ppb. Although a small change, the reduction entered a new tier or probability bracket for bloom risk, lowering it slightly from 40% to 30-40% with taste/odor complaints still possible but slightly less likely and filtration waiver violation remaining a low risk.

To meet the goal of 900 kg/yr total phosphorus load and 9.0 ppb in-lake total phosphorus concentration in the future at full buildout, additional changes to development strategies that limit total phosphorus export will be needed. While the City of Auburn has taken valuable action to put phosphorus controls in place on new development, the goal cannot be ultimately met without the cooperation of headwater towns to implement similar development strategies controlling phosphorus in the watershed.

Table 3. Amount of total and buildable land by town and zone in the Lake Auburn watershed. Results of the new model run incorporating the 2022 ordinance changes are compared to the original baseline buildout analysis. Note: the total area for the City of Auburn's zones, Low Density Country Residential and Rural Residential, are split between two values to show that Rural Residential was rezoned to Low Density Country Residential as part of the new model run incorporating the 2022 ordinance changes; the first value represents conditions under the original baseline buildout, and the second value represents conditions under the 2022 ordinance changes baseline buildout.

Zone	Total Area (acres)*	Original Baseline Buildout		2022 Ordinance Changes Baseline Buildout	
		Buildable Area (Acres)	Percent Buildable Area	Buildable Area (Acres)	Percent Buildable Area
Auburn					
Agriculture and Resource Protection	4,501	928	21%	0	0%
General Business	1	0	0%	0	0%
Low Density Country Residential	298 / 1,170	56	19%	322	28%
Neighborhood Business	2	0	0%	0	0%
Rural Residential	873 / 0	292	33%	0	0%
Suburban Residential	371	5	1%	5	1%
Buckfield					
General Development	155	154	100%	154	100%
Hebron					
General Development	175	83	47%	83	47%
Minot					
Rural District	843	414	49%	414	49%
Turner					
Commercial	19	11	58%	11	58%
General Residential I	94	59	63%	58	62%
General Residential II	219	99	45%	99	45%
Rural I	1,252	914	73%	914	73%
Rural II	634	527	83%	527	83%
Resource Protection	266	38	14%	38	14%
Shoreland Protection	110	30	27%	30	27%
Total	**9,811**	**3,610**	**37%**	**2,655**	**27%**

Table 4. Number of existing, projected, and total buildings by town and zone in the Lake Auburn watershed. Results of the new model run incorporating the 2022 ordinance changes are compared to the original baseline buildout analysis. Note: the number of existing buildings for the City of Auburn's zones, Low Density Country Residential and Rural Residential, are split between two values to show that Rural Residential was rezoned to Low Density Country Residential as part of the new model run incorporating the 2022 ordinance changes; the first value represents conditions under the original baseline buildout, and the second value represents conditions under the 2022 ordinance changes baseline buildout.

Zone	No. Existing Buildings	Original Baseline Buildout			2022 Ordinance Changes Baseline Buildout		
		No. Proj. Buildings	Total No. Buildings	Percent Increase	No. Proj. Buildings	Total No. Buildings	Percent Increase
Auburn							
Agriculture and Resource Protection	77	74	151	96	0	77	0
General Business	2	0	2	0	0	2	0
Low Density Country Residential	47 / 265	16	63	34	79	344	30
Rural Residential	218 / 0	143	361	66	0	0	0
Suburban Residential	75	6	81	8	6	81	8
Buckfield							
General Development	2	106	108	5,300	106	108	5,300
Hebron							
General Development	13	17	30	131	17	30	131
Minot							
Rural District	49	99	148	202	99	148	202
Turner							
Commercial	6	7	13	117	7	13	117
General Residential I	15	40	55	267	40	55	267
General Residential II	50	29	79	58	29	79	58
Rural I[2]	66	311	377	471	310	376	470
Rural II	14	61	75	436	61	75	436
Resource Protection	21	15	36	71	15	36	71
Shoreland Protection	23	14	37	61	14	37	61
Total	**678**	**938**	**1616**	**138**	**783**	**1,461**	**115**

[2] The original baseline buildout from May 2021 predicted 311 buildings. There were no changes to development constraints in Turner, so this difference is likely due to small differences in how the buildings were randomly placed by the model.

Table 5. Baseline and select scenario model results for total phosphorus (TP) load (kg/yr) and in-lake TP concentration (ppb), along with gross estimates for water quality risks related to drinking water and recreation in Lake Auburn. The new model run is highlighted in gray.

SCENARIO	YEAR	TP LOAD (KG/YR)	TP (PPB) - AVG	TP (PPB) - MIN	TP (PPB) - MAX	Bloom Risk	Taste/Odor	Filtration Waiver Violation Risk	Filtration Plant Needed?
Baseline or "Existing Conditions"	2018	1,114	10.9	9.2	14.4	40%	Complaints	None	No, borderline for taste/odor
Baseline + Alum Treatment	2020	842	8.3	6.6	11.8	10%	Likely Few Complaints	Likely None	No
Baseline + Alum Treatment + Climate Change (RCP 4.5) + Future "Business As Usual" Buildout (No Code Changes)	2100	957	9.5	7.8	13.0	40%	Complaints Likely	Low Risk	Likely no, but borderline for taste/odor
Baseline + Alum Treatment + Climate Change (RCP 4.5) + Future "Business As Usual" Buildout (No Code Changes) + Low Impact Development Standards	2100	943	9.4	7.7	12.9	40%	Complaints Likely	Low Risk	Likely no, but borderline for taste/odor
Baseline + Alum Treatment + Climate Change (RCP 4.5) + Future "Business As Usual + 2022 Ordinance Changes" Buildout (Code Changes) + Low Impact Development Standards	2100	937	9.3	7.6	12.8	30-40%	Complaints Possible	Low Risk	Likely no, but potentially for taste/odor
Lake Auburn Water Quality Goal Recommendation	2100	900	9.0			10-20%	Few Complaints	Low	No

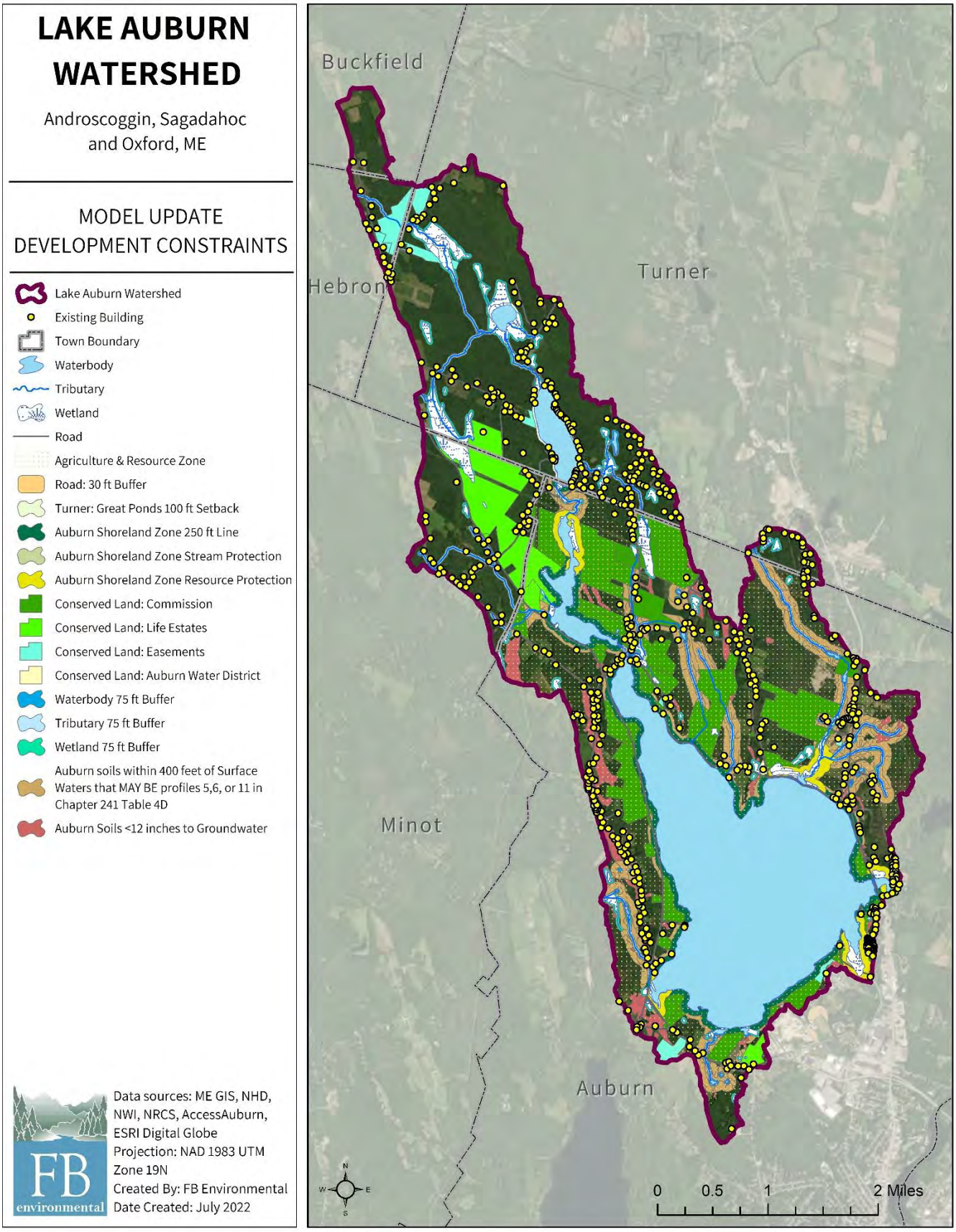


Figure 1. Development constraints in the Lake Auburn watershed for the 2022 ordinance changes baseline buildout analysis.

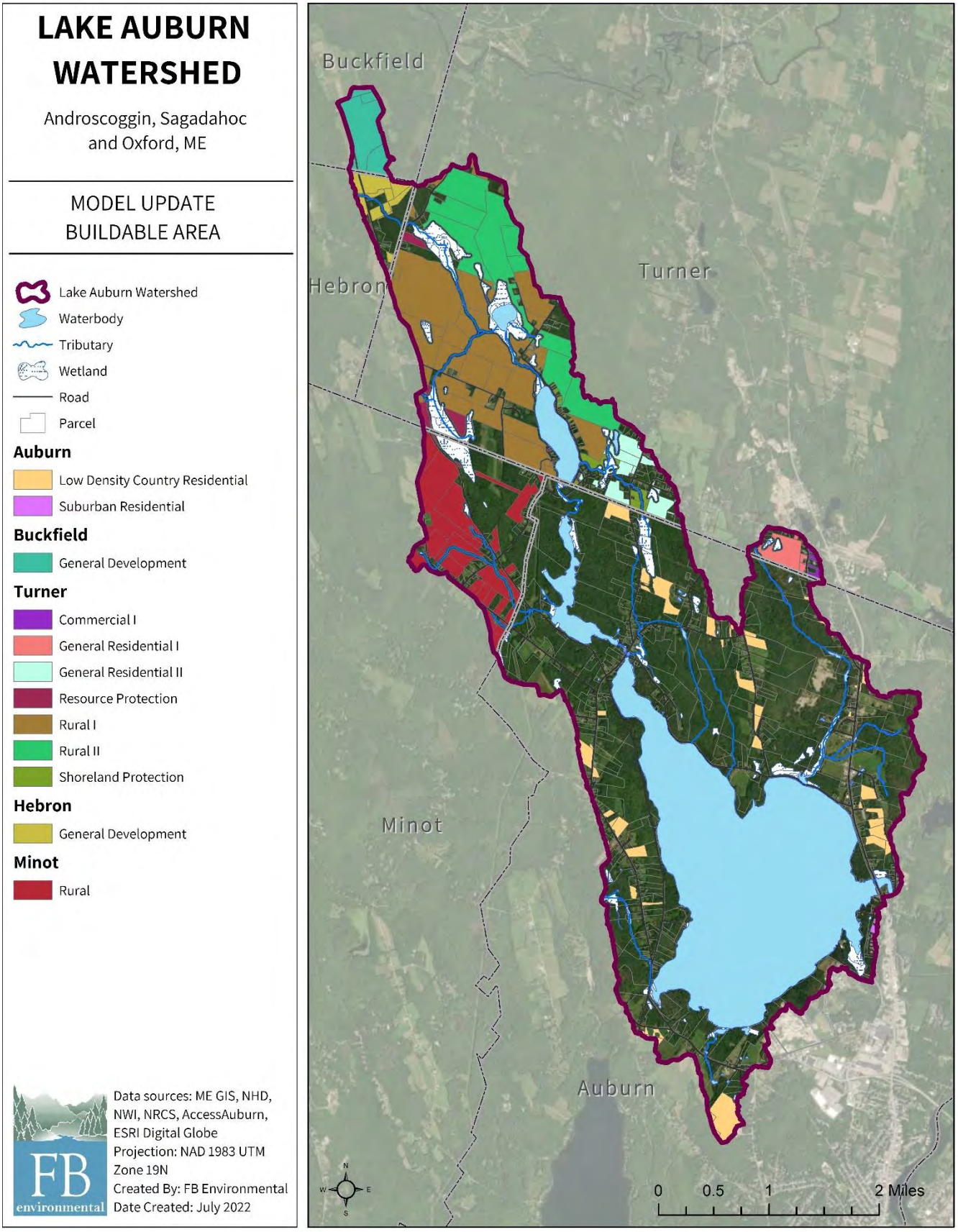


Figure 2. Buildable area in the Lake Auburn watershed for the 2022 ordinance changes baseline buildout analysis.

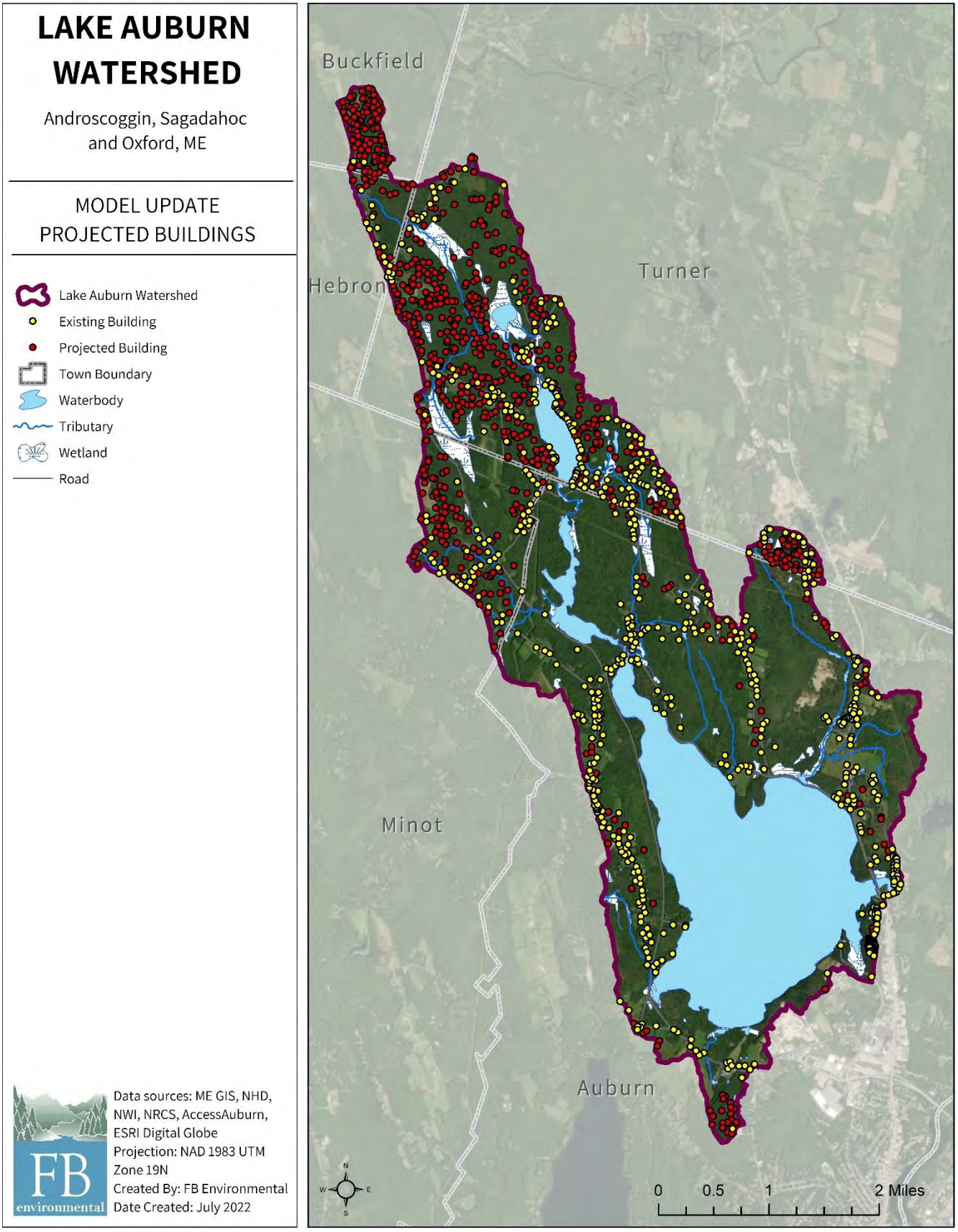


Figure 3. Existing and projected buildings in the Lake Auburn watershed for the 2022 ordinance changes baseline buildout analysis.

FUTURE SCENARIO CONSIDERATIONS

Considering additional nutrient attenuation by improved septic systems in the watershed. The City of Auburn will be requiring the use of diversion ditches and curtain drains for all septic system siting conditions. Diversion ditches and curtain drains divert surface and ground water away from leachfields to optimize the performance of septic systems, including their nutrient reduction potential (note: conventional septic systems are only designed for pathogen not nutrient removal; any nutrient removal is a byproduct of the design and is only optimized when an adequate biomat is established and maintained over time; the City of Auburn could consider requiring the installation of advanced treatment systems that directly target and reduce nutrients in sensitive environmental areas). The model already assumes that 90% of phosphorus in effluent is treated by an optimally functioning system and native soil. Additional research would be required to determine the validity of applying an adjustment factor to the phosphorus attenuation factor assumed for septic systems in the model. Even if an adjustment factor was justified in the literature, the change would likely be small and within the margin of uncertainty in the model. At the City's request, FBE could also make all existing and projected septic systems "new"[3] in the model to determine the possible improvement to in-lake water quality from upgrading all septic systems in the Auburn portion of the watershed (note: this would only be for shoreline septic systems; watershed septic systems are inherent to the land use export coefficients and would require additional research and consideration to tease out).

Including nitrogen modeling for Lake Auburn. The model can also predict nitrogen load and in-lake nitrogen concentrations, but additional work would be required to calibrate the model for nitrogen.

Strategizing how to achieve the target 900 kg/yr phosphorus load to Lake Auburn. The 2021 modeling effort set a target phosphorus load of 900 kg/yr for Lake Auburn to maintain good water quality and its filtration waiver. Model simulations for various circumstances would need to be played out to come up with one or more strategies for achieving the target load.

[3] Currently, the shoreline septic system load is a coarse estimate that splits the systems into "old" (>25 yrs) and "new" (<25 yrs) with a difference of 20% attenuation and 10% attenuation assumed for phosphorus, respectively. New systems are added to the model and split between the two age groups based on a similar ratio as existing old/new systems. This is because the model is projecting out to the end of the century - a system that is installed today will become "old" in 25 years and would likely be replaced a few times by the end of the century and alternate between those two age groups. A more nuanced analysis would take more research and discussion.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John A. Blais, Deputy Director of Planning & Permitting
Re: FB Environmental Update on the 1 acre to 3 acre lots in the Lake Auburn Watershed with proposed Septic system ordinance change.

Date: August 3, 2022

WORKSHOP: FB Environmental update the planning board on findings of lot size analysis and overall development potential changes.

1) Summarize the proposed ordinance changes that the City of Auburn Planning Board deliberated in May 2022 and 2) Describe the modeling work that was completed which simulated the impact that the proposed ordinances changes will have on land use and development in the watershed and subsequent lake water quality.

New Model Results
Results of the buildout analysis incorporating the 2022 ordinance changes compared to the original baseline buildout analysis are provided in Tables 3 and 4 and shown in Figures 1-3 in the attached updated report. The ordinance changes only impacted the Auburn portion of the watershed, reducing the total buildable area by 955 acres and the number of projected new buildings by 155. However, these results reflect adjustments made to the buildout assumptions that more accurately apply existing ordinances. For example, new development in the Agriculture and Resource Protection zone was removed which accounted for 928 acres of buildable area and 74 projected new buildings. In addition, there were 23 projected new buildings identified within the 300 ft buffer under the original baseline buildout that the ordinance changes conservatively excluded due to the limitations of using the Table 4D soil profiles. Accounting for these adjustments, the ordinance changes directly reduced the total buildable area by 27 acres and the number of projected new buildings by 58. This indicates that the expansion of buildable area with the lifting of the septic system siting restriction (changing from 36" to 12" to limiting factor) was effectively offset by the reduction of buildable area with the rezoning of Rural Residential to Low Density Country Residential (changing from 1-acre to 3-acre minimum lot size).

Results of the watershed-lake model are provided in Table 5 (pg.7 report). The new model run reflecting the 2022 ordinance changes and other adjustments resulted in a predicted total phosphorus load of 937 kg/yr and an in-lake total phosphorus concentration of 9.3 ppb. Compared to the "Business as Usual + LID" model scenario, the ordinance changes and other adjustments reduced the total phosphorus load by 6 kg/yr and the in-lake total phosphorus concentration by 0.1 ppb. Although a small change, the reduction entered a new tier or probability bracket for bloom risk, lowering it slightly from 40% to 30-40% with taste/odor complaints still possible but slightly less likely and filtration waiver violation remaining a low risk. To meet the goal of 900 kg/yr total phosphorus load and 9.0 ppb in-lake total phosphorus concentration in the future at full buildout, additional changes to development strategies that limit total phosphorus export will be needed. While the City of Auburn has taken valuable action to put phosphorus controls in place on new development, the goal cannot be ultimately met without the cooperation of headwater towns to implement similar development strategies controlling phosphorus in the watershed.

Results Staff Note: The 937 kg/yr. was based on a buildout analysis of one acre of disturbed area/new impervious surface. The Low Impact Development (LID) ordinance limits development disturbance area to 15,000 SF and 7,500 SF of impervious area. This approach would limit the development footprint to 22,500 SF or .52 acres. This would help further the limit phosphorus export with new development.

Requirements for New Single Family Lot Development	
Basic SFR Lot Standard	**Alternative SFR Lot Standards**
Disturbance on an individual lot must be less than 15,000 square feet (including building, driveway, walkways, lawn area, construction access, grading). And, no more than 7,500 square feet of impervious cover is located on the property.	Low Impact Development (LID) practices are used and sized to treat 0.5 inches of runoff from all impervious surfaces on the site, and 0.2 inches o runoff from all disturbed pervious areas of the site (lawn).*
A minimum natural vegetated buffer must be maintained downgradient of all developed area on the lot. This buffer shall be 35 feet deep if naturally forested or 50 feet deep if maintained as a natural meadow.*	The LID practices installed on the site are maintained in perpetuity. If necessary, LID practices may be replaced with new LID practices as long as the overall site treatment standard above is met.
A minimum of 25 percent of the lot area must be maintained as undisturbed natural area.*	
** If the lot or a portion of the lot is located within a watershed of a Lake Most at Risk from New Development, an Urban Impaired Stream, or other impaired or sensitive waterbodies as designated by the municipality for the purposes of this standard, a minimum of:* • *50 feet if naturally forested buffer, or 75 feet if maintained as meadow must be maintained downgradient of all developed area on the lot,* • *A minimum of 40% of the lot area must be maintained as undisturbed natural area.* *If the existing land has been disturbed by prior activities, a natural vegetated buffer and/or undisturbed natural area may be proposed through restoration and revegetation.*	** If the lot or a portion of the lot is located within watersheds of Lakes Most at Risk from New Development or other impaired or sensitive waterbodies as designated by the municipality for the purposes of this standard, the project must treat one inch of runoff from impervious surfaces and 0.4 inch from disturbed pervious surfaces.*

Staff Recommendation

Staff suggests a Planning Board hold a public hearing and provide positive feedback to the City Council to recommend both the zone change and lifting the septic system siting restriction (changing from 36" to 12" to limiting factor).

1. Change all areas of the Rural Residential zone in the watershed to Low Density Country Residential (LDCR).

   The LDCR Dimensional Standards are as follows

Sec. 60-202. Dimensional requirements.

All structures in this district except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of farm, livestock contained in section 60-2.

(2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.

c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less.

(4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.

(5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.32C; Ord. No. 11-03012021, §§ 10, 11, 3-15-2021)

2. Updating Sec 60-952 (c) and (f) (1-5) for agricultural buffer strip and subsurface wastewater systems in Division 4- Lake Auburn Watershed; and Sec 60-1066 (1) Phosphorous control for any new building or structure.

Sec. 60-952 (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip ~~50~~ 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

~~I.~~

(f)*Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

~~II.~~

(1)~~Subsurface absorption~~ Disposal areas shall not be permitted on sites on which ~~the highest seasonal groundwater table, bedrock, or other impervious layer~~ is less than 12 inches to the limiting factor. ~~36 12 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.~~ In addition, having at least 24 inches of suitable natural soil or fill material below the bottom of the disposal field and (the mineral soil surface) to result in a 36-inch separation between the bottom of the disposal field and the limiting factor.

~~III.~~

(2) Within areas containing soils described as deep, ~~loose~~ and sandy or gravelly and which contain ~~70 percent~~ sand or gravel outwash or stratified drift as shown on table 4D (profiles 5 or 6 and some 11) of the State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241 ~~9-3 of the state plumbing code, part II (April 25, 1975)~~, no subsurface absorption area shall be installed closer than ~~300~~ 400 feet to the normal high-water mark of any lake, pond, or year-round or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.

~~IV.~~

(3) All disposal areas, replacement or new shall meet the section 60-952 (F) (1) design criteria. If replacement systems cannot meet Section 60-952 (F) (1) The local plumbing inspector must evaluate the

design with concurrence from the Auburn Water District to impart as much design criteria to the replacement system.

~~V.~~

(4) All private sewage disposal systems shall have a curtain drain installed per section H, 10-144 CMR 34 of the Maine Subsurface Wastewater Disposal Rules or diversion ditch, upslope of a disposal field, for its entire length including fill extensions as determined by groundwater conditions by a Licensed Site Evaluator.

~~VI.~~

(5) All private sewage disposal systems shall be installed on the lot of the dwelling unit, unless the system can be developed outside the watershed or in under special conditions replacement systems may approve by local plumbing inspector on adjacent lots.

~~(3)~~ (6)The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.

~~(4)~~(7)The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.

City of Auburn
City Council Information Sheet
August 15, 2022

Council Workshop or Meeting Date: August 15, 2022 **Orders:** 115-08012022 and 116-08012022

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 2 city-owned properties that have the potential to create economic impact if sold. The Economic Development department will work with the city's contracted real estate broker to market the properties and identify potential uses.

City Budgetary Impacts: None

Staff Recommended Action: Approve the orders as presented

Previous Meetings and History: These items were presented at the 8/1/2022 Council meeting and due to house numbering/parcel ID errors, these items were postponed to allow staff to make the necessary corrections.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: List of properties

City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting August 15, 2022

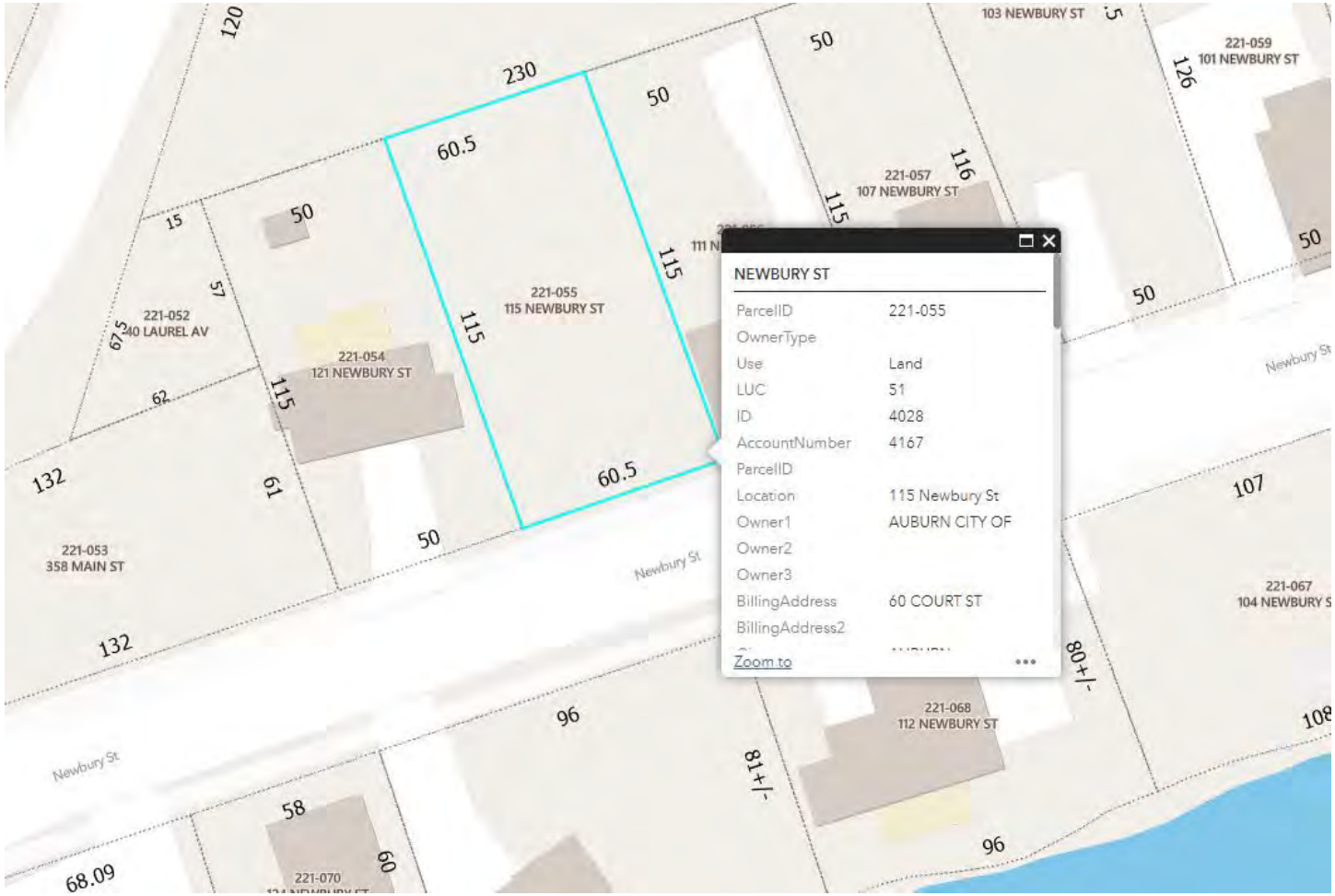
Jay Brenchick, Director of Economic Development

Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city's approve bid process. Applicants will be required to share a short narrative describing what they plan to build as well as the project's anticipated timeline and completion date.

Address	Description
103 Newbury Street	Parcel ID: 221-058
115 Newbury Street	Parcel ID: 221-055

103 Newbury Street
.21 Acres +/-

115 Newbury Street
.16 Acres +/-



ORDER 115-08012022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the marketing of 115 Newbury Street Parcel ID 221-055 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 116-08012022

City Council Order

IN CITY COUNCIL

ORDERED, the City of Auburn authorizes the marketing of 103 Newbury Street Parcel ID 221-058 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 15, 2022 **Order:** 49-04042022

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed Charter Amendments – Public hearing and Council vote to submit to Auburn voters

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Information: The Auburn Charter sec. 2.8 states "the city council shall provide for the review of the city's charter and ordinances in their entirety at least once every 15 years". Council recently completed the review of the City Charter and City Ordinances beginning in October of 2020.

After a review by the City Council, School Committee, and City Attorney, there were five minor amendments proposed. We are proposing to submit those to the voters at the November 8, 2022 Election.

If Council votes to submit the proposed Charter amendments to the voters of Auburn at the November 8, 2022 Election, and the amendments pass, they would take effect July 1, 2023.

This order was brought forward to the City Council on April 7, 2022 with a recommendation to submit this to the voters at the June 14, 2022 Election. Council voted to postpone this item to a date no later than September 19, 2022 to submit it to the voters at the November 8, 2022 General Election because of higher voter turnout.

30-A, Sec. 2105:

4. Effective date. If a majority of the ballots cast on any question under subsection 1 or 2 favor acceptance, the new charter, charter revision, charter modification or charter amendment becomes effective as provided in this subsection, provided the total number of votes cast for and against the question equals or exceeds 30% of the total votes cast in the municipality at the last gubernatorial election.

A. Except as provided in subparagraph (1), new charters, charter revisions or charter modifications adopted by the voters take effect on the first day of the next succeeding municipal year.

(1) New charters, charter revisions or charter modifications take effect immediately for the purpose of conducting any elections required by the new provisions

B. Charter amendments adopted by the voters take effect on the date determined by the municipal officers, but not later than the first day of the next municipal year.

The total number of ballots cast in the 2018 gubernatorial election was 9,755, 30% of that would be 2,927.

City Budgetary Impacts: Approximately $2,800 for the cost of printing the ballots.

Staff Recommended Action: Recommend passage

Previous Meetings and History: 10/26/2020, 11/9/2020, 11/30/2020, and 03/21/2022, 4/4/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Public notice, proposed amendments.

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment, but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

§2105. Submission to voters

The method of voting at municipal elections, when a question relating to a charter adoption, a charter revision, a charter modification or a charter amendment is involved, shall be in the manner prescribed for municipal elections under sections 2528 to 2532, even if the municipality has not accepted the provisions of section 2528. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Charter revision or adoption. Except as provided in paragraph A, in the case of a charter revision or a charter adoption, the question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the (charter revision) (new charter) recommended by the charter commission?"

A. If the charter commission, in its final report under section 2103, subsection 5, recommends that the present charter continue in force with only minor modifications, those modifications may be submitted to the voters in as many separate questions as the commission finds practicable. The determination to submit the charter revision in separate questions under this paragraph and the number and content of these questions must be made by a majority of the charter commission.

(1) If a charter commission decides to submit the charter revision in separate questions under this paragraph, each question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the charter modification recommended by the charter commission and reprinted (summarized) below?" [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Charter amendment. In the case of a charter amendment the question to be submitted to the voters shall be in substance as follows:

"Shall the municipality approve the charter amendment reprinted (summarized) below?"

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Voter information. Reports shall be made available and summaries prepared and made available as follows.

A. In the case of a charter revision or charter adoption, at least 2 weeks before the election, the municipal officers shall:

(1) Have the final report of the charter commission printed;

(2) Make copies of the report available to the voters in the clerk's office; and

(3) Post the report in the same manner that proposed ordinances are posted. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. In the case of a charter amendment, at least 2 weeks before the election, the municipal officers shall:

(1) Have the proposed amendment and any summary of the amendment prepared under this section printed;

(2) Make copies available to the voters in the clerk's office; and

(3) Post the amendment and any summary of that amendment in the same manner that proposed ordinances are posted. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. Any summary must fairly describe the content of the proposed amendment and may not contain information designed to promote or oppose the amendment. [PL 1991, c. 622, Pt. X, §11 (AMD).]

[PL 1991, c. 622, Pt. X, §11 (AMD).]

4. Effective date. If a majority of the ballots cast on any question under subsection 1 or 2 favor acceptance, the new charter, charter revision, charter modification or charter amendment becomes effective as provided in this subsection, provided the total number of votes cast for and against the question equals or exceeds 30% of the total votes cast in the municipality at the last gubernatorial election.

A. Except as provided in subparagraph (1), new charters, charter revisions or charter modifications adopted by the voters take effect on the first day of the next succeeding municipal year.

(1) New charters, charter revisions or charter modifications take effect immediately for the purpose of conducting any elections required by the new provisions. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Charter amendments adopted by the voters take effect on the date determined by the municipal officers, but not later than the first day of the next municipal year. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1991, c. 622, §X11 (AMD).

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SPECIMAN BALLOT
CITY OF AUBURN
SPECIAL MUNICIPAL ELECTION
NOVEMBER 8, 2022

INSTRUCTIONS TO VOTERS

TO VOTE, completely fill in the OVAL⬭ to the LEFT of your choice like this: ⬬ If you make a mistake, you may request a new ballot.

QUESTION 1:

Shall the municipality approve the charter amendment reprinted below?

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

⬭ YES

⬭ NO

QUESTION 2:

Shall the municipality approve the charter amendment reprinted below?

SAMPLE

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

◯ YES

◯ NO

QUESTION 3:

Shall the municipality approve the charter amendment reprinted below?

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment, but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with Title 20-A §1052.

◯ YES

◯ NO

QUESTION 4:

Shall the municipality approve the charter amendment reprinted below?

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

◯ YES

◯ NO

QUESTION 5:

Shall the municipality approve the charter amendment reprinted below?

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

◯ YES

◯ NO

CITY OF AUBURN
PUBLIC NOTICE
PROPOSED CHARTER AMENDMENTS

Notice is hereby given that the Auburn City Council will hold a public hearing on an Order to submit the following proposed charter amendments to the voters at the November 8, 2022, Election. The public hearing will be held on August 15, 2022 at 7:00 pm or as soon thereafter, in Council Chambers of Auburn Hall located at 60 Court Street, Auburn, Maine.

The purpose of the public hearing is to receive public comments on the proposed charter amendments in accordance to Title 30-A §2104. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

Sec. 4.7. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least four affirmative votes; however, in the event of a tie the measure fails. ~~Five affirmative votes shall be required to hire or fire the superintendent of schools.~~

Sec. 4.9. Superintendent of schools.

The school committee shall choose a superintendent of schools in accordance with Title 20-A §1051.~~solely on the basis of executive and administrative qualifications~~. The superintendent of schools need not be a resident of the city at the time of appointment but shall be a resident of the city during tenure of office unless otherwise approved by the school committee. The School Committee may discharge the superintendent before the expiration of the contract term in accordance with Title 20-A §1052.

Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

ORDER 49-04042022

City Council Order

IN CITY COUNCIL

ORDER to submit the proposed Charter Amendments to the voters of Auburn at the November 8, 2022 Election.

Whereas, the Auburn City Council held several special meetings to conduct a review of the City Charter section by section in accordance to Sec. 2.8 of Auburn's Charter; and

Whereas, the School Committee presented their recommended changes to the City Council at a special meeting held on November 30, 2020; and

Whereas, proposed changes that were voted on by the City Council during the process only submitted the Proposed Charter Amendments listed below to the City Attorney for legal review, with proposed additions to the City Charter indicated with an underline, and proposed deletions from the City Charter indicated with a ~~strikethrough~~; and

Now, therefore, be it ordered by the Auburn City Council as follows:

The Auburn City Council finds that the Proposed Charter Amendment in Section 4.2 does not affect the composition nor voting authority of the School Committee, but is simply designed to ensure that any student representatives are of sufficient capacity to meaningfully participate in the School Committee's work.

The Auburn City Council finds that the Proposed Charter Amendments in Sections 4.7 and 4.9 merely serve to conform the existing Charter language to Maine statutes governing the hiring and firing of the superintendent of schools.

The Auburn City Council finds that the Proposed Charter Amendments to Sections 6.4 and 8.7 simply promote conformity and consistency in references to the Auburn School Committee throughout the Charter.

Accordingly, the Auburn City Council concludes that the Proposed Charter Amendments will not alter the general plans, schemes, or structure of the existing Charter language, will not result in a profound or fundamental alteration in the essential character or core operations of Auburn's municipal government, and therefore constitute amendments to the Auburn City Charter which are within the purview of the Auburn City Council, as the municipal officers, to propose for consideration by the voters and that they are not revisions requiring the establishment of a Charter Commission.

ORDER 49-04042022

City Council Order

The Auburn City Council therefor orders that the Proposed Charter Amendments be placed on a ballot and submitted to the voters of Auburn at the November 8, 2022 Election and if passed by the voters of Auburn, the Charter Amendments would take effect July 1, 2023.

Proposed Charter Amendments

Sec. 4.2 Composition and compensation.

The School Committee shall consist of the Mayor, or a City Councilor selected by the Mayor, and seven (7) other members. Five (5) members shall be elected, one (1) from each ward by and from its registered voters. Two (2) members shall be elected at-large by and from the City's registered voters. Members shall hold office for a term of two (2) years or until their successors are elected and qualified except that any candidate whose name does not appear on the printed ballot must receive at least twenty-five (25) valid write-in votes in order to qualify for election to that position. The School Committee may appoint by rule non-voting student representatives to serve with the School Committee. Student members will be secondary students and will serve a one (1) year term.

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Sec. 4.9. Superintendent of schools.

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Sec. 6.4. Powers and duties.

The city manager shall be administrative head of the city government and shall be responsible to the city council for the administration of all departments other than the ~~department of education~~ School Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
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Phillip L. Crowell, Jr., City Manager

City Council Order

Sec. 8.7. Amendments after adoption.

A. *Supplemental appropriations.* If during or before the fiscal year the city manager certifies that there are available for appropriation municipal revenues, including those of the ~~department of education~~ School Department, in excess of those estimated in the budget, the city council by resolve may make supplemental appropriations for the year up to the amount of such excess.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 15, 2022 **Order:** 122-08152022

Author: Alison F. Pepin, Deputy City Clerk

Subject: Approving the Liquor License for Riverwalk Blues & Brews Festival

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Information: A Riverwalk Blues & Blues Festival is scheduled for September 10, 2022 from 1:00 PM to 7:00 PM. The event will be held in the Main Street/Festival Plaza area.

The City is applying for a Liquor License for Incorporated Civic Organization to allow the sale of alcohol in Festival Plaza within the designated area.

A Public Hearing is not required per MRS Title 28-A Liquor § 1071. INCORPORATED CIVIC ORGANIZATIONS 4. Application G. Approval by the municipal officers fo the municipality in which the proposed licensed premises are located, which, notwithstanding section 653, may be granted without notice or a public hearing.

City Budgetary Impacts: N/A

Staff Recommended Action: Passage approving the liquor license

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Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Application for a License for an Incorporated Civic Organization
- Copy of MRS Title 28-A Liquor § 1071. INCORPORATED CIVIC ORGANIZATIONS
- Order 122-08152022

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for a License for an Incorporated Civic Organization

Section A: Applicant Information:

1. Legal Name of Applicant: City of Auburn
2. Contact Name for Applicant: Barry Schmieks
3. Mailing Address of Primary Office of Applicant: 60 Court Street Auburn, ME 04210
4. Contact Name Telephone/Mobile Number: 207.333.6650 X2066
5. Email Address of Contact: bschmieks@auburnmaine.gov

Section B: Event Information:

1. Title Event: Riverwalk Blues & Brews Festival
2. Purpose of Event: free community event with live music, local beer, food & fun
3. Duration of Event (check one): ☑ One Day ☐ Multiple Days (only 1 permitted per year)
4. Type of Event: (check one) ☐ Indoor ☑ Outdoor
5. Town or City where Event will take place: Auburn
6. Complete Physical Address of Event: Festival Plaza, 112 main Street, and part of main Street (see map)
7. Date of Event: 9.10.2022 Time: From 1pm To 7pm

Under Maine liquor laws, alcoholic beverages can **only** be served from 5:00 am to 1:00 am of the next day, Sunday through Saturday; event times cannot deviate from this statutory requirement.

8. Number of Persons Attending: approx. 500-750

9. Describe specific indoor and/or outdoor area to be licensed: (for an outdoor event, please include a diagram of the outside space in Section F below.)

See attached map

10. Will dancing be part of the event? Yes ☐ No ☑
    a. Does the venue have a dance license? Yes ☐ No ☑
    b. If yes, please provide a copy of the license from the State's Fire Marshall's Office

Section C: Signature of Applicant

By signing this application, the licensee understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: _____

_____
Signature of Duly Authorized Person

_____
Printed Name of Duly Authorized Person

Section D: For use by Municipal Officers and County Commissioners only
Approval of an Application for a License for an Incorporated Civic Organization

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this catering event application on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of license to be issued by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

Section E: Application Fee; Other Information

1. The license fee is $50.00 plus a $10.00 filing fee; make checks payable to Treasurer State of Maine.
2. The law requires the application to be submitted at least 24 Hours prior to the function, however, a longer notice is appreciated to allow additional time for processing.
3. Once issued, this permit is not assignable and is valid only for use by the licensee named in this application and for the date, time, and location listed in this application. This permit is issued subject to Maine liquor laws under Title 28-A and the Bureau's Administrative Rules. Penalties for failure to comply with the laws and rules are provided in Chapter 33 of Title 28-A.
4. The Division is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.
5. Payments to the Division by check subject to penalty provided by 28-A MRS Section 3-B.

Section F: Diagram for Outdoor Events

The following restrictions apply to outdoor events:

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating "No alcohol beyond this point".
- There must be sufficient employees at the event to control and monitor the area.

In an effort to clearly define the area that consumption and storage of liquor will occur during this outdoor event, diagrams must be submitted on this form and should be as accurate as possible. Be sure to label the areas of consumption and storage on your diagram.

See attached map

For Division Use Only

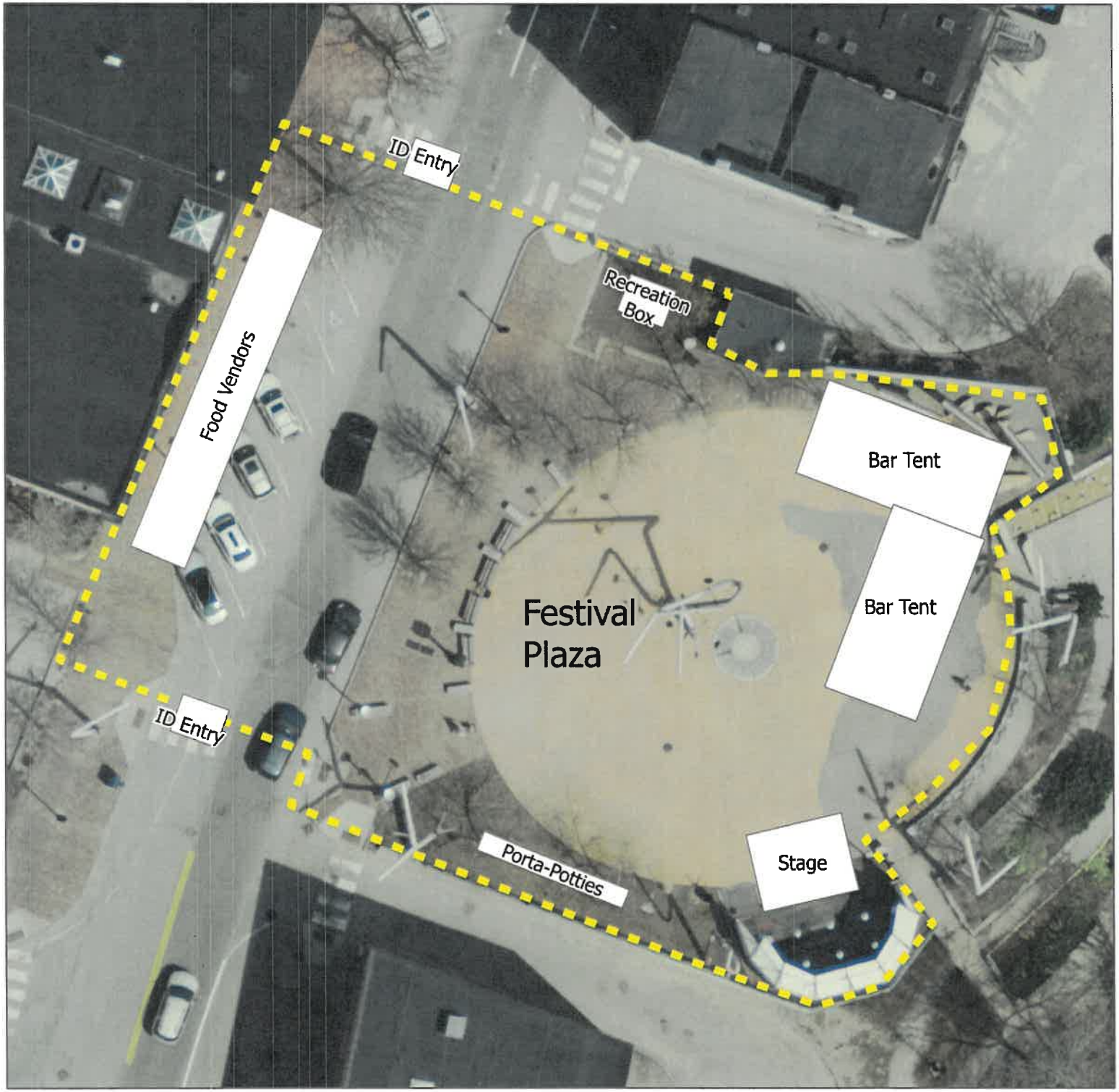
Date Filed: _____

☐ Approved ☐ Not Approved

Date Approved: _____

Approved By: _____

License No:
Deposit Date:
Amt. Deposited:
Payment Type:



auburnmaine.gov

60 Court Street
Auburn, ME
207.333.6601

Riverwalk Blues and Brews

Alcohol Permitted Area
Venue Features

N

0 50 Feet

7/25/2022 D:\GISProjects\RM\zz_Departments\EconomicDevelopment\EconDev_General\EconDev_General.aprx

§1071. INCORPORATED CIVIC ORGANIZATIONS

1. Issuance of licenses. The bureau may issue licenses under this section for the sale of spirits, wine and malt liquor to be consumed on the premises to incorporated civic organizations, as defined in section 2, subsection 15, paragraph I.

[1997, c. 373, §96 (AMD) .]

2. Up to 5 licensed events per year; one event per license. An incorporated civic organization may obtain up to 5 licenses under this section per calendar year. Each license authorizes the licensee to sell or serve liquor at only one public event or public gathering which is sponsored by the licensee.

[1987, c. 151, §2 (RPR) .]

3. Length of licenses. One license issued under this section to each incorporated civic organization is valid for up to 7 consecutive days. The other 4 licenses for which the incorporated civic organization is eligible are valid for one day each. The bureau may not issue separate licenses under this section to the same incorporated civic organization for events or gatherings held on consecutive days.

[1997, c. 373, §97 (AMD) .]

4. Application. An incorporated civic organization shall file an application for a license. The application includes the following:

A. Title and purpose of the event; [1987, c. 45, Pt. A, §4 (NEW).]

B. Date, time and duration; [1987, c. 45, Pt. A, §4 (NEW).]

C. Location; [1987, c. 45, Pt. A, §4 (NEW).]

D. Approximate number of persons to be accommodated; [1987, c. 45, Pt. A, §4 (NEW).]

E. Name and address of the sponsoring civic organization and the name and title of the officer making the application; [1987, c. 45, Pt. A, §4 (NEW).]

F. If food is to be served, the name and address of food caterer, if other than the licensee; and [1987, c. 45, Pt. A, §4 (NEW).]

G. Approval by the municipal officers of the municipality in which the proposed licensed premises are located, which, notwithstanding section 653, may be granted without notice or a public hearing. [1987, c. 45, Pt. A, §4 (NEW).]

[1987, c. 45, Pt. A, §4 (NEW) .]

5. Ruling on application. The bureau shall approve or deny the application and immediately notify the applicant of its decision. The bureau shall advise the applicant that the license may be revoked and suspended under chapter 33.

[1997, c. 373, §98 (AMD) .]

6. Server requirements. A manufacturer licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler who provides malt liquor, wine, fortified wine or spirits for the public event or gathering being sponsored may serve its product at the event. An incorporated civic organization issued a license in accordance with this section shall provide the names of persons not licensed under chapters 51, 55 or 59 who will be serving alcoholic beverages at the event. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, small winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

[2015, c. 214, §6 (AMD) .]

SECTION HISTORY
1987, c. 45, §A4 (NEW). 1987, c. 151, §2 (AMD). 1997, c. 373, §§96-98 (AMD). 2009, c. 102, §1 (AMD). 2011, c. 629, §19 (AMD). 2015, c. 214, §6 (AMD).

ORDER 122-08152022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the liquor license for the September 10, 2022 Riverwalk Blues & Brews Festival event sponsored by the City of Auburn, to be held in the Main Street/Festival Plaza area.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 15, 2022 **Order:** 123-08152022

Author: Alison F. Pepin

Subject: Waiver of Business License Fee – Maine Blues Society

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Information: Maine Blues Society, a 501c3 organization, submitted a request for a waiver of the Peddler License fee of $75.

The Maine Blues Society will be performing at the upcoming Riverwalk Blues & Brews Festival on September 10, 2022. Additionally, they will have a table set up to promote their organization, sell memberships and sell their Maine Blues Society tee shirts.

Mission Statement: "The intent and purpose of the Maine Blues Society is to encourage, promote and expand the enjoyment, development, performance and preservation of the Blues as a culture, art form, musical idiom, profession and a foundation of America's heritage."

City Budgetary Impacts: $75

Staff Recommended Action: Consider waiving the fee

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

- Application
- Request to waive fees
- Order

CITY OF AUBURN, MAINE

Police:
Fire:
Code:
Tax

Peddler License Application

Fee $75.00 per event or $100.00 for 30 days

Application date 8/8/22 Planned opening date 9/10/22 Expiration date 9/10/22

Event and/or Location Riverwalk Blues & Brews

ALL QUESTIONS MUST BE ANSWERED IN FULL

BUSINESS	APPLICANT
Business name Maine Blues Association	Full name Mary J Crace
Business address P.O. Box 4703	Maiden name A/K/A
City Portland State ME Zip 04112	Date of birth 12/11/54
Mailing address same	Home address 392 Center Rd.
City State Zip	City Lebanon State ME Zip 04027
Business phone	Home phone 207.351.5707
Cell phone 207.351.5707	Driver's Lic.# & State 7088167 - ME
Manager's Name: MJ Crace, Marketing Director	

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes_____ No X____ (If yes, complete the following)

Name_____ Date of conviction_____

Offense_____ Location_____

Disposition_____

60 Court Street • Suite 150 • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6623 Fax
www.auburnmaine.gov

****

Type of merchandise to be sold Memberships & Maine Blues Society Tee Shirts

****

THE OMISSION OF FACTS OR ANY MISPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.* Please allow at least 3 weeks for this process.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

******READ CAREFULLY BEFORE SIGNING******

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Mary Crace
Signature of Applicant

8/8/22
Date

60 Court Street • Suite 150 • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6623 Fax
www.auburnmaine.gov

P.O. BOX 4703, PORTLAND, ME 04112
WWW.MAINEBLUESSOCIETY.ORG

August 8, 2022

RE: Fee Waiver Request

Dear City Council Members,

We, the Maine Blues Society (a 501C3 organization) are writing to request that our "Vendor Fee" be waived for the upcoming Riverwalk Blues & Brews Festival on September 10, 2022.

We will be promoting our organization to visitors, educating them about upcoming events and workshops as well as opportunities for involvement in helping to grow the Blues Music genre in our great State of Maine. In addition to memberships, we will also be selling our Maine Blues Society tee shirts at our space.

We are honored to be included in this festival and look forward to representing our organization to all of your guests (fellow Blues lovers) throughout the event.

Thank you for your consideration,

MJ Crace

MJ Crace
Marketing Director
Maine Blues Association
207.351.5707

ORDER 123-08152022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Clerk to waive the $75 business license fee (Peddler License) as requested by Maine Blues Society for the Riverwalk Blues and Brews Festival that is scheduled for September 10, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
Tuesday, September 6, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Remote Policies for Boards & Committees – Brian Wood
- **B.** Executive session, economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.
- **C.** Executive session, labor negotiations (IAFF and MSEA), pursuant to 1 M.R.S.A. §405(6)(D)
- **D.** Executive session, economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

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 124-09062022*
Confirming Chief Moen's appointment of Corey David as Constable with firearm for the Auburn Police Department.

II. Minutes

- August 15, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Recognition – Landon Cougle in recognition of being selected as a Page for the US Senate
- Recognition - Spirit of America
- Communication - Age Friendly Community Committee Potato Give-away Report
- Communication - Mayor's Ad-hoc Committee to Develop Permit Ready Housing Plans
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Resolve 04-09062022
Accepting the final report from the Public Safety Building Ad-Hoc Committee.

2. Resolve 05-09062022
Supporting the Center Street Safety Action Plan Grant Application.

3. Resolve 06-09062022
Addressing the current housing shortage in Auburn by seeking an opinion from the Planning Board to consider eliminating income standards and current strip zoning limitations in areas outside of the Lake Auburn Watershed overlay.

4. Referred Ordinance 08-03072022
Repealing Ordinance 08-03072022 that was adopted on 3/21/2022 amending the zoning map and adjusting Article XII, Division 4, Sec. 60-751 Lake Auburn Watershed Overlay District Map.

5. Order 125-09062022
Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

6. Ordinance 20-09062022
Amending the zoning district T-4.2B. Public hearing and first reading.

7. Resolve 07-09062022
Supporting the creation of an Ad-hoc/Public Infrastructure Committee.

8. Order 126-09062022
Allocating $225,000 in ARPA (American Rescue Plan Act) funding for Accessory Dwelling Unit Development Program.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions – None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022

Author: Brian Wood, Assistant City Manager

Subject: Remote Policy for the City of Auburn Boards and Commissions

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Information: The City of Auburn, to create uniform policies and practices amongst the various boards and commissions under the direction of the Auburn City Council, are exploring the creation and adoption of a single uniform policy for remote/ virtual engagement and participation. By creating a unform policy it will create clarity for members and the public about participation, votes, absences, and other opaque actions that haven caused confusion in the past.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends exploring this opportunity.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022

Subject: Executive Session

Information: Labor negotiations (IAFF and MSEA), pursuant to 1 M.R.S.A. Section 405(6) (D).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

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E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Order:** 124-09062022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Corey David as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests that the City Council confirms Chief Moen's appointment of Corey David as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Corey David as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
N/A

ORDER 124-09062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Moen's appointment of Corey David as Constable with firearm for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

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

Pledge of Allegiance

I. Consent Items - None

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

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

Passage 7-0.

III. Communications, Presentations and Recognitions

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

IV. Open Session

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

Jim Lynch, 80 Shepley Street also had a question regarding the Lake Auburn Watershed Report Sub Surface Wastewater presentation.

Jennifer Goff Lynch, 80 Shepley Street spoke regarding a notice she received in the mail and asked if there would be public comment on upcoming zone changes.

Erica Gosselin, 48 Houghton Street stated she is unhappy with the Council and the lack of civic engagement like other people that have spoken.

Mary Fuller, Lake Auburn Avenue, stated that she isn't sure what these changes are.

Victoria Ballou, 106 Locksley Road, stated that she has concerns with the rezoning and she would like to see the information provided to the public in a format that was easier to understand what the proposed changes are. She asked why there couldn't be a third option.

V. Unfinished Business

1. Order 115-08012022
Authorizing the marketing of city owned property located at 115 Newbury Street. Parcel ID 221-055.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. **Order 116-08012022**
Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.

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

Public comment – Andy Titus, applauds this going on, would like more in the packet to go over the process we use to market these properties.

Passage 7-0.

3. **Order 49-04042022**
Authorizing the proposed Charter amendments be placed on a referendum ballot and submitted to the voters of Auburn at the November 8, 2022, Election. Public hearing and vote.

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

Public hearing – No one from the public spoke.

Passage 7-0.

VI. New Business

1. **Order 122-08152022**
Approving the Incorporated Civic Organization Liquor License application for the City of Auburn, for the Riverwalk Blues & Brews Festival scheduled for September 10, 2022, in the Festival Plaza/Main Street area.

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

Public comment – No one from the public spoke.

Passage 7-0.

2. **Order 123-08152022**
Authorizing the City Clerk to waive the $75 business licensing fee (Peddler License) as requested by the Maine Blues Society, for the Riverwalk Blues and Brews Festival scheduled for September 10, 2022.

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

Public comment – No one from the public spoke.

Passage 7-0.

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

VIII. Reports (from sub-committees to Council)

Mayor Levesque announced that he will be on the next Legislative Policy Committee for the Maine Municipal Association (MMA), representing the City of Auburn.
Councilor Staples reported that the Lewiston Auburn Transit Committee (LATC) was cancelled this month and the Auburn Public Library board will meet on Tuesday.

IX. Executive Sessions – None

X. Adjournment

Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved. The meeting adjourned at 8:49 PM.

A TRUE COPY

ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

Age-Friendly Community Committee
Potato Give-away Report
As of August 29, 2022

On or about April 25, 2022, I met with David Bell and discussed a new program for people who are faced with food insecurity. The discussion involved his donating approximately 4000 lbs of potatoes per month to be given away. The program ended on July 26, 2022.

Since that time, we have given away 185 50 lb bags of potatoes, which equals 1850 5 lb bags. That equals 9,250 lbs, or 4.5 tons of potatoes. All for FREE.

At the current rate of $16.50 per 50 lb. bag, the cost for these potatoes would have been $3,052.50.

The new rate for this fall will be $20.00/50 lb. bag., bringing the cost to $3,700.00 (regular price.)

David Bell is now proposing that he sell us potatoes at a drastically discounted rate (to be negotiated.) Funding has not been determined at this point, but we are hoping that the City Manager, Phil Crowell, will be able to help us to find a funding source for this badly needed program for people with food insecurity.

This has hit home for many people, and they have come to rely on this program to feed themselves and their families. We have provided potatoes to the Boys and Girls Club, PAL, First Auburn, New Auburn and Robin Dow Senior Citizens Clubs, several churches, and have even given some to St. Mary's hospital patients and employees.

The recommendation from the Age-Friendly Community Committee would be that the CDBG department undertake this program through their funding so that we can continue the potato give-away.

We are estimating that we will go through approximately 5000 50 lb. bags of potatoes in the coming season. Potatoes are a food staple for most families, which is why it is so important to make sure people have this opportunity.

Here is the math: 5000 50lb. bags = 250,000 lbs of potatoes ÷ 10 bags in each 50 lb bag = 25,000 bags of potatoes to be given away.

Respectfully submitted:

Leroy Walker, Sr.
Chair

Jan Biron
Secretary

City of Auburn, Maine

Mayor Jason J. Levesque

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

September 1, 2022

Memorandum: Mayors Ad Hoc Committee to develop permit ready housing plans

To: Auburn City Council, Auburn Planning Board, City Manager Crowell
CC: City Staff

As Auburn continues to experience high demand for multiple housing types coupled with our continual comprehensive plan implementation, we are faced with multiple questions on what type of home, how many units are allowable and who could design such a building are becoming common.

We are also faced with residents justified concerns that new construction will not fit into the current neighborhood aesthetic. In order to alleviate neighborhood concerns and provide a guide to builders, I am forming an Ad Hoc committee charged with the following: develop shovel ready building plans that will be offered as permit ready, and free of charge. Several plans should be developed for each of the following categories:

1. Townhome style homes, stand alone or up to a four pack
2. Detached ADU's
3. Single family homes on historically non-conforming lots (minimum road frontage)
4. Duplexes, triplexes, and fourplexes

The make up of this committee will be as follows:

1. Two residents from each of our five wards
2. Two planning board members chosen by either the Chair or by vote of the body
3. City staff as deemed appropriate by the City Manager
4. A paid architectural firm to be chosen through the city policy

I have asked the City manager to present an RFP and budget for the architectural firm at our next meeting for council approval.

Timeframe will be determined by the Ad Hoc committee, but the goal is to submit the plans to the planning board for approval or modification by February 2023.

While choosing a plan from this list shall not be a mandatory condition of construction, by offering these shovel ready plans free of charge to builders, the intent is to expedite and make new construction more cost effective while guiding style to what is acceptable within the neighborhoods that they will be built within.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Resolve:** 04-09062022

Author: Brian Wood, Assistant City Manager

Subject: Accepting the final report from the Public Safety Building Ad-Hoc Committee

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Information:

The Auburn City Council voted to create the Ad-Hoc Public Safety Building Committee to work with staff and qualified consultants to advise the City Manager and City Council on the preferred site, design and probable cost estimates for a new Engine 2 Fire Station, design and probable cost estimates for a combined Police and Fire Public Safety Building and building upgrades at Engine 5 Fire Station. The final report has been submitted and the recommendation of the staff and committee is for City Council to officially accept the final report.

City Budgetary Impacts: N/A

Staff Recommended Action: Accept the final report

Previous Meetings and History: Several Council workshops and presentations have been held (June 6, June 27, July 18, August 1, and August 15, 20022).

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

RESOLVE 04-09062022

City Council Resolve

IN CITY COUNCIL

RESOLVED, by the Council of the City of Auburn, Maine, in City Council assembled, that,

WHEREAS, in 2011 the Auburn Police Department relocated to Auburn City Hall as a temporary solution due to space needs; and,

WHEREAS, in 2017 the Auburn Public Safety Team and consultants conducted a space needs analysis based on current usage and future needs along with extensive site evaluations; and,

WHEREAS, in 2019 the CIP funding secured to address deficiencies with the police locker room and facilities at City Hall were higher than anticipated those funds were allocated to a comprehensive facilities assessment of all public safety facilities; and,

WHEREAS, on September 7, 2021 the Auburn City Council voted to create the Ad-Hoc Public Safety Building Committee to work with staff, consultants and members of the public to advise the City Manager and City Council on the preferred site, design and cost estimates for a new Engine 2 Fire Station, combined Police and Fire Public Safety Building and upgrade to Engine 5 Fire Station; and,

WHEREAS, the Public Safety Ad-Hoc committee reviewed all previous work done by consultants and reviewed all recommendations by city staff over the course of a 6 month period; and,

WHEREAS, a final report and recommendation was presented to the Auburn City Council on September 16, 2022; and,

NOW, THEREFORE, BE IT RESOLVED, by the Auburn City Council in City Assemble, officially thank all the participants for their hard work and dedication to the process and accept the final report from the Public Safety Building Ad-Hoc Committee in its entirety and will act upon the recommendations at a time and in a manner determined by the City Council.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Resolve:** 05-09062022

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: Safe Streets and Roads for All Resolve in support of AVCOG/ATRC Application

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Information: A resolve has been included for City Council consideration that highlights the current state of vehicular crashes, fatalities, and injuries within the community and the proposed framework to prioritize planning for solutions along the Center Street and Mount Auburn Avenue corridors through a new program included with the federal Bipartisan Infrastructure Law.

City Budgetary Impacts: $20,000 in local match, available within the existing Engineering Department appropriation

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Staff Recommended Action:

Previous Meetings and History:
August 15, 2022 City Council Workshop – Transportation Safety Initiatives Briefing

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
2021 Transportation Chapter of the Comprehensive Plan (includes references to corridor safety:
https://www.auburnmaine.gov/CMSContent/Planning/CompPlan/APPROVED061621_Comp.PlanTransportationChapter.pdf
2019 Heads Up Pedestrian Safety Plan (includes references to corridor safety):
https://www.auburnmaine.gov/CMSContent/Planning/Studies_and_Reports/Auburn%20Pedestrian%20Mitigation%20Plan_Final.pdf
2014 ATRC Funded Arterials Analysis (included references to corridor safety):
http://avcog.org/DocumentCenter/View/2412/Task-1-Arterial-Analysis---Final-Draft?bidId=
2009 Center Street Traffic Management Study
https://www.auburnmaine.gov/CMSContent/Planning/Studies_and_Reports/Gorrill-Palmer_2009_Center_Street_Traffic_Management_Study.pdf

RESOLVE 05-09062022

City Council Resolve

IN CITY COUNCIL

WHEREAS, as part of the new Bipartisan Infrastructure Law, the, Infrastructure Investment and Jobs Act (IIJA), there is over $1 billion of roadway safety funding available in the form of the Safe Streets and Roads for All (SS4A) program; and

WHEREAS, between 2012 and 2022, approximately 9,000 crashes occurred on Auburn's streets, with 22 of those crashes involving a fatality and 2,238 involving personal injury; and

WHEREAS, the city, in coordination with community stakeholders, can aid in preventing these types of tragedies by taking a proactive, preventative approach that prioritizes transportation safety as public health issue in planning and investment decisions, and

WHEREAS, Vision Zero, a strategy supported by the Federal Highway Administration (FHWA), aims to eliminate all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all and is a framework that has successfully reduced fatalities and serious injuries in cities where it has been implemented, and

WHEREAS, the Center Street/Route 4 and Mt. Auburn Avenue/Veteran's Memorial Bridge corridors have been identified as having multiple high crash locations, limited bicycle and pedestrian access, and have been prioritized in 2021 Comprehensive Plan for investments focused on safety and mobility for all users; and

WHEREAS, the Androscoggin Transportation Resource Center (ATRC), the metropolitan planning organization for our urban area can apply for a SS4A grant to develop an Action Plan for the Center Street and Mt. Auburn Avenue corridors; and

WHEREAS, the Auburn City Council commits to achieve significant declines in roadway fatalities and serious injuries along these corridors and others citywide; and

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council supports the submission of the SS4A grant and the engagement of residents, businesses, and all users of these corridors in creating an Action Plan if awarded.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Resolve:** 06-09062022

Author: Sue Clements-Dallaire, City Clerk

Subject: Resolve directing the Planning Board to provide an opinion on whether to eliminate the income standard and current strip zoning limitations in all areas outside of the Lake Auburn Watershed Overlay.

Information: This resolve is to direct the Planning Board to provide an opinion, no later than 12/15/2022 on whether to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay in an effort to try to help address the housing shortage and demand upon existing housing stock.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of resolve

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

RESOLVE 06-09062022

City Council Resolve

IN CITY COUNCIL

Whereas the City of Auburn is experiencing tremendous demand upon existing housing stock causing values to significantly increase.

Whereas the City of Auburn, State of Maine and most parts of the United States is experiencing a significant housing shortage.

Whereas the City of Auburn has over 20,000 acres of under or undeveloped land, with a significant percentage serviced by some infrastructure such as roads, trash, police, and fire protection, which is on average more served than similar rural communities.

Whereas there are certain impediments that are restricting natural growth of homes on this privately held land within the Agriculture and Resource Protection Zone or within an arbitrary residential strip of 300' in depth.

Whereas the City of Auburn Planning Department has received numerous requests to petition to Planning Board to change zoning in order to construct a residence, these numerous requests must be heard but will produce a significant burden upon staff and Planning Bboard.

Whereas the 2018 third party Cross Roads study of the viability of our rural land recommended elimination of the income standard as a condition to build a residence.

Whereas the income standard was not repealed but modified from 50% of a family's income to 30% of an individual's income being derived from agriculture activities as a condition to build a residence in 2019 without any increase in number of new farms created.

Whereas the Comprehensive plan of 2021 states "it is understood that agriculture and forestry may not be profitable in some areas of the city and the existing Agriculture and Resource Protection zoning, in some cases, eliminates the economic use of private land."

Whereas LD 2003 allows the building of 2 units on a parcel located in an area that allows residences. This State law supersedes local ordinance and will be in effect in July of 2023.

Whereas the Lake Auburn Watershed requires conservation measures to protect Lake Auburn and therefore the greater good supersedes the individual's economic benefits unless those within the watershed petition the Planning Board directly for a zone change and can

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

City Council Resolve

demonstrate that any development will not negatively impact the regions primary source of drinking water.

Therefore, **be it resolved that** the City Council directs the Planning Board to provide an opinion, no later than December 15th, 2022, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Referred Ordinance:** 08-03072022

Author: Sue Clements-Dallaire, City Clerk

Subject: Action on Citizen Petition and Potential Repeal of Ordinance 08-03072022

Information: On March 21, 2022, the City Council adopted Ordinance 08-03072022, amending the zoning map of 148 acres of Agriculture and Resource Protection (AG) to General Business (Parcel ID 289-001 and 289-002) of the Zoning Map and adjust the Article XII, Division 4, Sec. 60-951 Lake Auburn Overlay District map as proposed in the 2021 FB Environmental Report know as Lake Auburn-A Regulatory, Environmental, and Economic Analysis of Water Supply Protection.

On April 20, 2022, an affidavit to form a Petitioner's Committee was filed with the City Clerk. On April 25, 2022, petition blanks were issued. The deadline for the petition to be filed with the City Clerk was July 25, 2022. The petition was filed with the City Clerk on July 21, 2022. At that point, pursuant to Sec. 9.5 of the Charter, the Ordinance was suspended from taking effect.

The total number of valid signatures required was 1,647. *See* Charter Sec. 9.3(A). The petition was reviewed, and signatures validated; the petition was certified to be sufficient, with 1,981 valid signatures and 135 invalid signatures, on August 9, 2022. The City Clerk then issued a Certificate of Sufficiency of Petition and provided a copy to the Petitioners' Committee's contact person, Keri Myrick, on August 9, 2022.

Once the petition is determined to be sufficient, pursuant to Sec. 9.6 of the Charter, the City Council shall promptly consider voting to repeal the ordinance. If the Council fails to repeal the ordinance within 30 days after the date the petition was finally determined to be sufficient, it must submit the Ordinance to the voters of the City.

A proposed motion to act to repeal the ordinance is as follows: "I move that the ordinance specified in the referendum petition (Ordinance 08-03072022) be repealed."

If the repeal motion fails, it means that the Ordinance must be sent to the voters for a City-wide referendum vote. The timing of the referendum election is dictated by Sec. 9.6(B) of the Charter: the referendum election must be held "not less than one hundred twenty (120) days and not later than six (6) months from the date of the final city council vote thereon". If the City Council is ready on September 6, 2022, to set the date for the referendum election, a motion in substantially the same form as follows ought to be made: "I move that the ordinance specified in the referendum petition (Ordinance 08-03072022) be sent to a referendum vote to be held on _____, 202___." The timeframe to hold the special election would be no sooner than January 4, 2023, but no later than March 6, 2023.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider the repeal of Ordinance 08-03072022.

Previous Meetings and History: On March 21, 2022, Council adopted Ordinance 08-03072022.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Ordinance 08-03072022; copy of petition blanks; copy of affidavit to form a Petitioner's Committee; Certificate of Sufficiency of Petition; Article IX of the City Charter; Referred Ordinance 08-03072022.

APR 20 2022

12 pm

CITY OF AUBURN

INITIATIVE, REFERENDUM, AND RECALL

Shall the following zoning ordinance and map adopted by the City Council on March 21, 2022 be REPEALED: Ordinance **08-03072022**,

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

List of five registered voters filing this affidavit stating they will constitute a petitioners' committee.

1. I, Keri L. Myrick, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME Keri Myrick

ADDRESS 1010 Summer St.; Auburn ME 04210

PHONE 207-344-7484

SIGNATURE _____

Sworn to and subscribed before me, _____, notary public, this 7 day of April, 2022. Julie Bertrand

JULIE M. BERTRAND
Notary Public, State of Maine
My Commission Expires August 6, 2022

2. I, Peter Dingley, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME Peter Dingley

ADDRESS 1017 Summer St.; Auburn ME 04210

PHONE 1-305-240-1633

SIGNATURE _____

Sworn to and subscribed before me, _____, notary public, this 7 Day of April 2022. Julie Bertand

JULIE M. BERTRAND
Notary Public; State of Maine
My Commission Expires August 6, 2022

APR 20 2022
12 pm

3. I, Frederick Holler, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME Frederick Holler

ADDRESS 352 West Auburn Road; Auburn ME 04210

PHONE

SIGNATURE Frederick Holler

Sworn to and subscribed before me, Julie M. Bertand, notary public,
this 7 day of April 2022. Julie Bertand

JULIE M. BERTRAND
Notary Public, State of Maine
My Commission Expires August 6, 2022

4. I, Stanwood Gray, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME Stanwood Gray

ADDRESS 1200 Sopers Mill Road, Auburn ME 04210

PHONE 207-615-6957

SIGNATURE Stanwood Gray

Sworn to and subscribed before me, Julie M Bertand, notary public,
this 7 day of April 2022. Julie Bertand

JULIE M. BERTRAND
Notary Public, State of Maine
My Commission Expires August 6, 2022

APR 20 2022
12 pm

5. I, Celia McGuckian, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME Celia McGuckian

ADDRESS 10 Fairmount Avenue; Auburn ME 04210

PHONE 207-786-3979

SIGNATURE Celia McGuckian

Sworn to and subscribed before me, Julie M. Bertand, notary public,
this 7 day of April 2022. Julie Bertand

JULIE M. BERTRAND
Notary Public, State of Maine
My Commission Expires August 6, 2022

All notices to this committee are to be sent to the following (list name and address):

Name: Keri L. Myrick

Address: 1010 Summer St, Auburn ME 04210

ORDINANCE 08-03072022

City Council Ordinance

IN CITY COUNCIL

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

Be it ordained, that the City Council approve the amendment to the Zoning Map of 148 acres of Agriculture and Resource Protection (AG) to General Business (Parcel ID 289-001 and 289-002) of the Zoning Map and adjust the Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District map as proposed in the 2021 FB Environmental Report known as Lake Auburn- A Regulatory, Environmental, and Economic Analysis of Water Supply Protection.

A TRUE COPY

ATTEST Susan Clements-Dallaire 4/22/2022

Susan Clements-Dallaire, City Clerk Date

Passage of first reading on 3/7/2022, 4-3 (Councilors Staples, Gerry, and Whiting opposed).

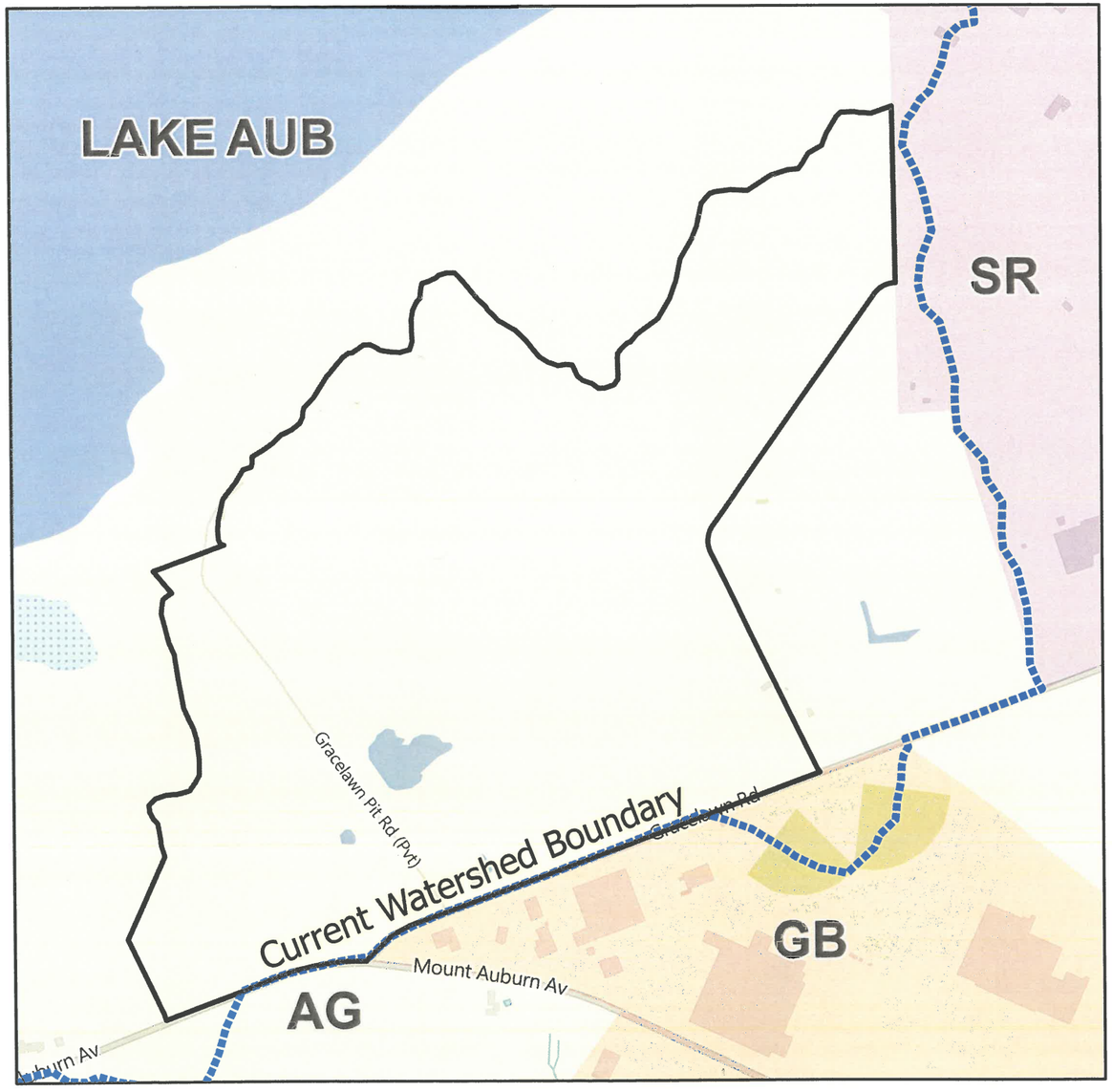
Passage of second reading on 3/21/2022, as amended, 4-3 (Councilors Staples, Gerry, and Whiting opposed).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Gracelawn: Exhibit A



Current Zoning

Proposed Change

Current Watershed Boundary
Watershed Boundary from Report

Recommended Zoning Updates
Comp Plan to CDD
Extend to new watershed boundary

Current Zoning
AG - Agriculture and Resource Protection
GB - General Business
RR - Rural Residential
SR - Suburban Residential
Change Area

auburnmaine.gov

Ms. Susan Clements-Dallaire, City Clerk

City of Auburn, Maine

60 Court Street

Auburn, Maine 04210

Dear Ms. Clements-Dallaire,

Accompanying this letter are 102 certified referendum petition papers bearing a total of 2120 signatures of registered Auburn voters which are being collectively filed as a single petition. This petition seeks the repeal of Auburn Ordinance 08-03072022 which amends the city's zoning map and modifies the boundary of the Lake Auburn Watershed Overlay District Map. This petition is being filed by the committee created by affidavit filed with your office on April 20, 2022, and which has come to be known informally as the Committee to Protect Lake Auburn. The number of signatures on the petition exceeds 10% of the number of registered voters of the City on the date the committee filed its affidavit. Each of the petition papers incorporates two Circulator's Affidavits; the first printed on the reverse side on the petition and an attached second affidavit which tracks the requirements of the present City Charter.

Please proceed to review these petition documents in accordance with Section 9.4 of the Charter and issue your certificate accordingly. Please notify the appropriate officials of Auburn city government as soon as possible, including those officials responsible for issuing and/or acting on permits, that Ordinance 08-03072022 is now suspended, effective upon the filing of these collective petition papers, until one of the further actions set forth in Section 9.5 of the Charter has been completed.

Thank you for your assistance in this petition process.

Keri Myrick, for the committee

CERTIFICATE OF SUFFICIENCY OF PETITIONS

PETITION TO REPEAL ORDINANCE 08-03072022, AMENDING THE ZONING MAP AND ADJUSTING ARTICLE XII, DIVISION 4, SEC. 60-951 LAKE AUBURN WATERSHED OVERLAY DISTRICT MAP.

Date petitions issued to Petitioner's Committee: **April 25, 2022**

Number of valid signatures required: **1,647**

Deadline to file petitions with the City Clerk (90 days after petition blanks are provided): **July 25, 2022**

Date petitions were filed with the City Clerk: **July 21, 2022**

Deadline for City Clerk to complete a certificate of sufficiency: **August 10,2022**

Number of petitions certified: **102 of 102 submitted**

Number of signatures verified: **2,116**

Number of valid signatures: **1,981**

Number of invalid signatures: **135**

I, Susan Clements-Dallaire, Auburn City Clerk, hereby declare that the Petition submitted to Repeal **Ordinance 08-03072022, Amending the Zoning Map, and adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map,** meets the requirements and contains a sufficient number of valid signatures pursuant to Article IX, Sec. 9.3 of the Auburn City Charter.

ATTEST:

Susan Clements-Dallaire 8/9/2022

Susan Clements-Dallaire, City Clerk Date

ARTICLE IX. - INITIATIVE, REFERENDUM, AND RECALL

Sec. 9.1. - General authority.

A. *Initiative.* The registered voters of the city shall have the power to propose ordinances, orders, and resolves to the city council and, if the city council fails to adopt the matter proposed without any change in substance, to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any ordinance, order, or resolve relating to appropriation of money, levy of taxes, or salaries of city officers or employees. An initiative which fails to win a majority vote in a citywide election may not be the subject of another initiative for at least six months after the citywide election in which it failed.

B. *Referendum.* The registered voters of the city shall have power to require reconsideration by the city council of any adopted ordinance, order, or resolve and, if the city council fails to repeal the matter so reconsidered, to approve or reject it at a city election, provided that such power shall not extend to the budget or capital program or any emergency ordinance or ordinance, order, or resolve relating to appropriation of money or levy of taxes. A referendum which fails to win a majority vote in a citywide election may not be the subject of another referendum for at least six months after the citywide election in which it failed.

C. *Recall.* The registered voters of the city shall have the power to recall any elected official, but no recall petition shall be filed against any official within six months after the official takes office, nor, in the case of an official subjected to a recall election and not removed, until at least six months after the recall election.

Sec. 9.2. - Commencement of proceedings.

[A.] Any five registered voters may commence initiative, referendum, or recall proceedings by filing with the city clerk an affidavit stating they will constitute a petitioners' committee and be responsible for circulating the petition, filing it in proper form, stating their names and addresses, and specifying the address to which all notices to the committee are to be sent, as well as setting out in full the proposed initiative ordinance, order, or resolve or citing the ordinance, or other matter sought to be reconsidered, or the elected official proposed to be recalled, together with a statement not to exceed 200 words, of the reasons for the recall. Grounds for the recall should relate to and affect the administration of the official's office and be of a substantial nature directly affecting the rights and interest of the public. Promptly after receipt of a recall petition, the city clerk shall serve, personally or by certified mail, return receipt requested, restricted delivery, a copy of the affidavit on the elected official sought to be recalled. Within ten days of the copy's delivery, refusal, or being unclaimed, the elected official sought to be recalled may file a statement with the city clerk not to exceed 200 words in response.

[B.] Promptly after the affidavit of the petitioners' committee is filed, the city clerk shall issue appropriate petition blanks to the petitioners' committee.

Sec. 9.3. - Petitions.

A. *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the city equal in number to at least ten percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit. Recall petitions must be signed by at least 15 percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit.

B. *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached during their

circulation the full text of the ordinance, order, or resolve proposed or sought to be reconsidered or the name of the elected official proposed to be recalled and the reasons for that action. Petitions for recall shall be limited to the recall of one individual and shall contain the statement of grounds for the recall and the response of the official sought to be recalled, if any. If no response was filed, the petition shall state that fact.

C. *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit signed by the circulator stating the number of signatures as well as that the circulator:

(a.) Is a resident of the city;

(b.) Personally circulated the paper;

(c.) Had all the signatures signed in the circulator's presence;

(d.) Believes the signatures are the genuine signature of the persons; and

(e.) That each signer had an opportunity before signing to read the full text of the ordinance proposed or to be reconsidered or the name of the elected official proposed to be recalled and the statements of both the official and the petitioners' committee.

D. *Time for filing.* Referendum affidavits must be filed within 30 days after adoption by the city council of the ordinance, order, or resolve sought to be reconsidered. petitions for initiative, referendum and recall must be filed with the city clerk within 90 days of the city clerk's issuance of petitions, otherwise the petitions expire.

Sec. 9.4. - Procedure after filing.

A. *Certificate of city clerk; amendment.* Within 20 days after the petition is filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery. A petition certified insufficient for lack of the required number of valid signatures may be amended once, if the petitioners' committee files a notice of intention to amend it with the city clerk within five days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections B and C of section [9.]3 above. Within five days after the supplementary petition is filed, the city clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery, as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request city council review under subsection B of this section within the time required, the city clerk shall promptly present the certificate to the city council and the certificate shall then be a final determination as to the sufficiency of the petition.

B. *City council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two days after receiving the copy of such certificate, file a request for review by the city council. The city council shall review the certificate at its next meeting following the filing of such request and approve or disapprove it. The city council's determination shall be a final determination as to the sufficiency of the petition. The official proposed to be recalled shall not participate in any proceedings regarding the petition or the election.

C. *Court review; new petition.* A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

Sec. 9.5. - Referendum petitions; suspension of effect.

When a referendum petition is filed with the city clerk, the ordinance, order, or resolve sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

a. There is a final determination of insufficiency of the petition; or

b. The petitioners' committee withdraws the petition; or

c. The city council repeals the ordinance, order, or resolve; or

d. Thirty days have elapsed after a vote of the city on the ordinance, order, or resolve.

Sec. 9.6. - Action on petitions.

A. *Action by city council.* When an initiative or referendum petition has been fully determined sufficient, the city council shall promptly consider the proposed initiative ordinance, order, or resolve in the manner provided in article 2 or reconsider the referred ordinance, order, or resolve by voting its repeal. If the city council fails to adopt a proposed initiative ordinance, order, or resolve without any change in substance within 60 days or fails to repeal the referred ordinance, order, or resolve within 30 days after the date the petition was finally determined sufficient, it shall submit the proposed or referred matter to the voters of the city.

B. *Submission to voters.* The vote of the city on a proposed or referred ordinance, order, or resolve shall be held not less than 120 days and not later than six months from the date of the final city council vote thereon. In the case of a recall petition, the election shall be held not later than six months after the petition is finally determined to be sufficient. If no regular city election is to be held within the period prescribed in this subsection, the city council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election except that the city council may, in its discretion, provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred matter shall be available for view at the polls.

C. *Withdrawal of petition.* An initiative, referendum, or recall petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the city, by filing with the city clerk a request for withdrawal signed by at least four members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Sec. 9.7. - Results of election.

A. *Initiative.* If a majority of the registered voters voting on a proposed initiative ordinance, order, or resolve vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances, orders, or resolves of the same kind adopted by the city council. If conflicting ordinances, orders, or resolves are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

B. *Referendum.* If a majority of the registered voters voting on a referred ordinance, order, or resolve vote for repeal, it shall be considered repealed upon certification of the election results.

C. *Recall.* If a majority of the registered voters voting on a recall petition vote in favor of the petition, the office of the recalled official shall become vacant upon certification of the election results. If the election results or procedure is legally challenged by the recalled official, that person's right to serve in that office shall be suspended and the city shall not compensate that official pending the resolution of the legal proceeding.

Referred Ordinance: 08-03072022

City Council Ordinance

IN CITY COUNCIL

Repealing Ordinance 08-03072022 adopted on 3/21/2022 amending the zoning map and adjusting Article XII, Division 4, Sec. 60-951 Lake Auburn Watershed Overlay District Map

Whereas, the City Council adopted Ordinance 08-03072022 on 3/21/2022 amending the zoning map of 148 acres of Agriculture and Resource Protection (AG) to General Business (Parcel ID 289-001 and 289-002) of the Zoning Map and adjust the Article XII, Division 4, Sec. 60-951 Lake Auburn Overlay District map as proposed in the 2021 FB Environmental Report know as Lake Auburn-A Regulatory, Environmental, and Economic Analysis of Water Supply Protection; and

Whereas, a Petitioners' Committee was formed to gather a minimum of 1,647 signatures of registered voters in the City of Auburn in an effort to repeal said Ordinance; and

Whereas, the petition was filed with the City Clerk on July 21, 2022 and determined to be sufficient on August 9, 2022; and

Whereas, Section 9.6 of the Charter provides that when a referendum petition has been determined to be sufficient, the City Council shall promptly consider voting to repeal the referred ordinance; and

Whereas, if the City Council fails to repeal the referred ordinance within 30 days after the date the petition was finally determined to be sufficient, the City Council shall submit the referred ordinance to the voters of the City;

NOW, THEREFORE, be it ordained that the City Council hereby repeals Ordinance 08-03072022 that was adopted on March 21, 2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Order:** 125-09062022

Author: Brian Wood, Assistant City Manager

Subject: Homeowner Relief Program 2022

Information:

The City of Auburn, in response to the market adjustment, is seeking to offset a portion of the increase many residents saw in their 2022-2023 tax bill. This response to the market adjustment will provide one time relief funding for Auburn residents. The details of this the program and eligibility will be created by the staff of the City of Auburn; however the anticipated goal is to provide $300.00 dollar checks for single family dwellings and multifamily units that are owner occupied that are currently receiving the Homestead exemption. The Council will allocate $1,500,000.00 from the American Rescue Plan Act (ARPA) funds to cover the cost of this initiative.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends exploring this opportunity.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 125-09062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council provide one time relief funding for Auburn residents in direct recognition of the market adjustment made in the spring and summer of 2022. This stabilization effort has resulted in varying tax increases for the residents of Auburn. The Auburn City Council orders the allocation of $1,500,000.00 from the American Rescue Plan Act (ARPA) funds for one time relief checks and associated implementation costs.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: September 6, 2022 **Ordinance:** 20-09062022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

Information: The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth. The change creates a new district that carries the urban form of walkable, desirable existing neighborhoods to expanded land area where existing zoning has forced development to meet more suburban standards and limited housing production. The area proposed is limited to land where public water and sewer are available or reasonably available nearby. The proposed changes allow for infill development, creation of new housing units in existing buildings, new development of housing on vacant land and limited neighborhood scale commercial uses.

This proposal will also go to Planning Board for a public hearing and recommendation to Council on September 13, 2022. Second reading with the Council is scheduled for the September 19, 2022 agenda. Both the City Council and Planning Board have created this new district based on feedback from the public while considering the application of the existing T-4.2 district to the same area. In response to public feedback the new district was created to recognize differences between existing T-4.2 districts and the proposed T-4.2B area. Most notable are setback allowances that are flexible to match existing development patterns, the size limitations on commercial uses, a requirement for a residence on the same lot as a commercial use and the additional Special Exception review and Planning Board public process required for considering most commercial uses.

Staff Recommended Action: Hold a Public Hearing and vote on the first reading of the proposed text and map amendment.

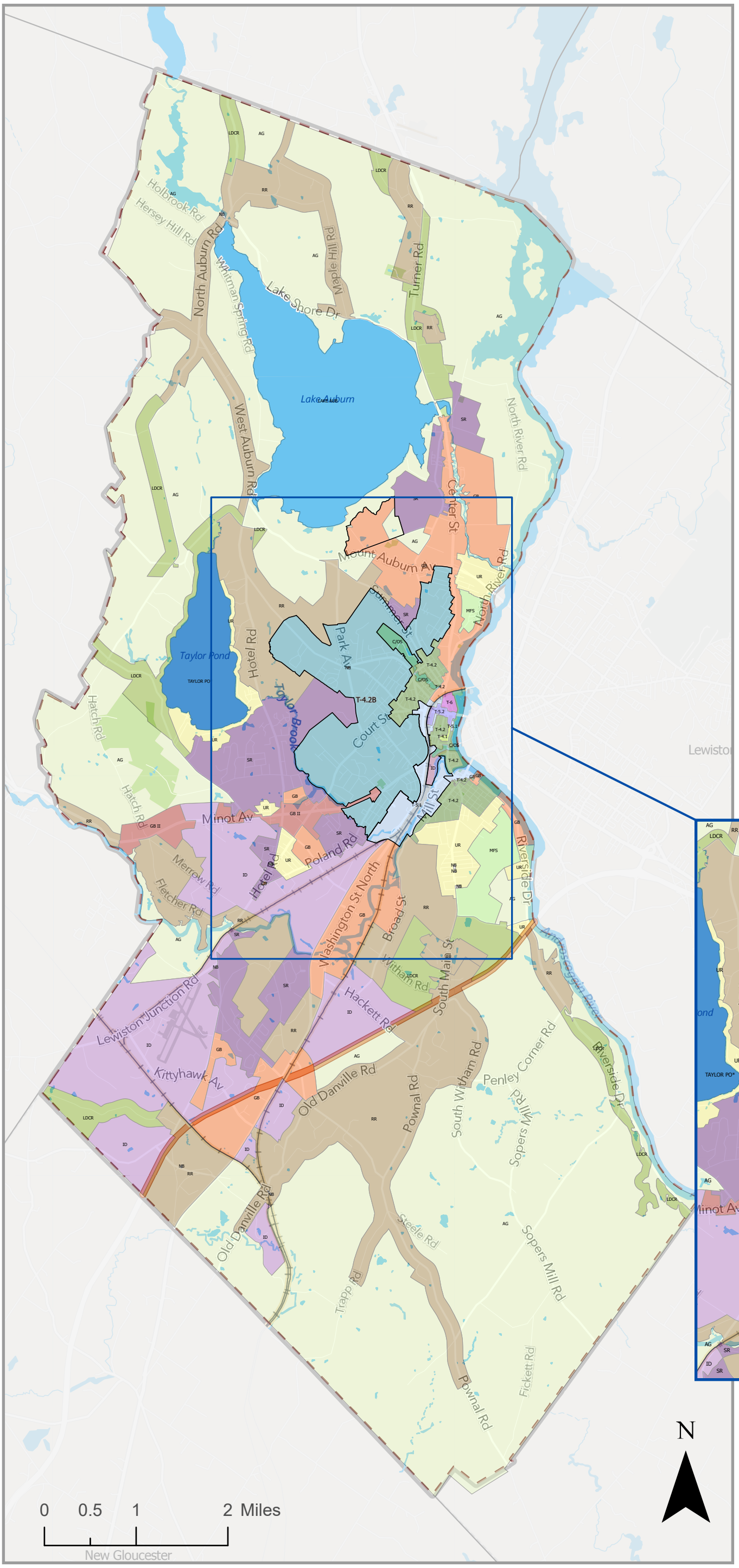
Previous Meetings and History: See Staff Report attached.

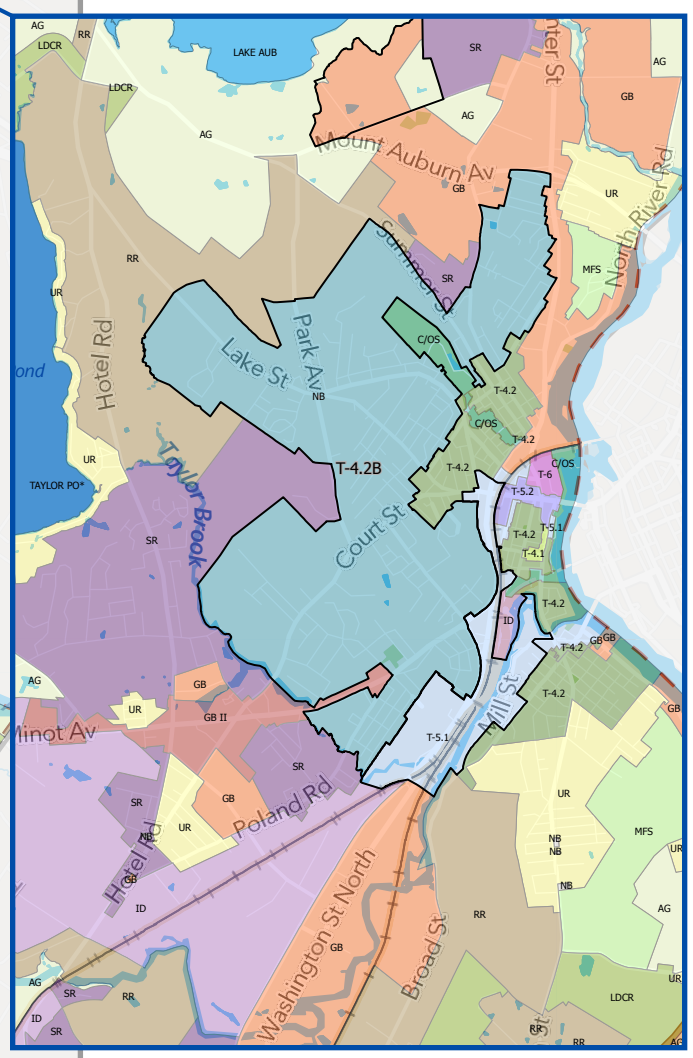
City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Proposed Official Zoning Map dated 7/6/2022, proposed text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district, Planning Board Staff report.

Proposed Official Zoning Map





Legend

- AG - Agriculture and Resource Protection
- C/OS - Conservation / Open Space
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LAKE AUB
- LDCR - Low Density Country Residential
- LAKE AUB
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- TAYLOR PO*
- UR - Urban Residential
- Proposed T-4.2B

This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zoning Text and Map Amendment Public Hearing
Date: August 30, 2022

PROPOSAL: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth.

STAFF RECOMMENDATIONS

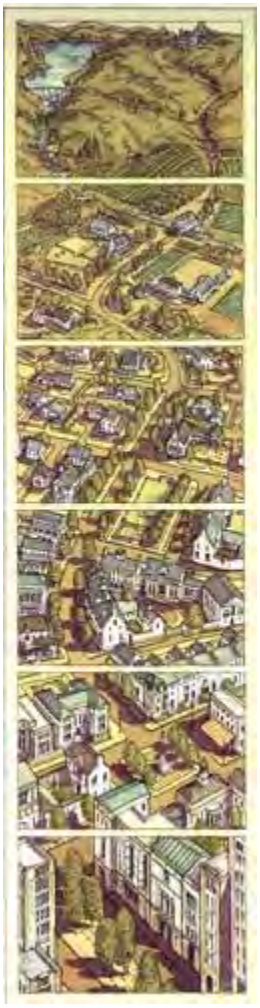
Hold a public hearing on creation of new Form-Based Code zoning district, T-4.2B and the application of the same new zone, T-4.2B to the Court Street area. The Board should review these as a single agenda item and forward a recommendation to Council.

Previous meetings concerning the creation of application of T-4.2B:

- August 17, 2021, city council meeting: increased housing and form-based code
- December 21, 2020, city council meeting T-4.2 Downtown Enterprise District
- December 17, 2020, - June 16, 2021, comprehensive plan meetings
- March 1, 2021, city council meeting T-4.2 Court/Lake Street and Lake Auburn Avenue, Union, Lake, and Whitney Street areas
- April 27, 2021, community conversation: comprehensive plan update
- April 29, 2021, community conversation: comprehensive plan update
- May 4, 2021, community conversation: comprehensive Plan update
- March 31, 2022, community conversation: discuss zoning changes January 3, 2022, city council meeting
- January 11, 2022, planning board meeting Workshop: T-4.2 Court Street
- February 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 21, 2022, city council meeting: T-4.2 Court Street
- March 28, 2022, city council meeting: T-4.2B Court Street planning board directive
- April 14, 2022, planning board meeting workshop: T-4.2B areas A-D

- June 18, 2022, city council meeting- T-4.2B creation
- June 27, 2022, city council meeting- Court Street amendment workshop
- July 12, 2022, community conversation: zoning in Auburn
- July 18, 2022, city council meeting: T-4.2B first reading
- August 1, 2022, city council meeting- T-4.2B Court Street planning board directive and repeal 4.2 Court Street
- August 15, 2022, city council meeting: postpone T-4.2B Court Street
  Update original dates from first approval

[1]FORM-BASED CODE The Form Based Code Institute defines a form-based code as "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."[2]The purpose of implementing form-based code is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. Form-based code regulates the physical form of the built environment using transects, which are the standardized categories that describe the range or continuum of development types; from T-1 Natural Areas to T-6 Urban Core or City Center with an additional category designated for other uses. Form-based code offers an alternative to traditional zoning laws which separate where we live from where we work, learn, shop, play, and gather. By strictly regulating the setbacks and types of housing, units are built further apart resulting in greater reliance on roads. As an alternative, form-based code promotes walkability by reducing the separation between private and public realms of life. Auburn's form-based code proposes five types of form-based code districts, T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6. These districts range from least urban to most urban. T-4.2B is characterized as the Traditional Neighborhood Development District or General Urban Zone.



TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Description- The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks (Sec. 60.549).

[1] "American Transect," Duany Plater-Zyberk & Company / James Wassell
[2] https://formbasedcodes.org/definition/

Objective – Allow for the development of a wide range of residential and community uses at a density of up to what is allowed by the form of the lot with an estimation of 16 units per acre, but not specified because of the variability of the lots form, as specified in the Comprehensive Plan in areas that are served or can be served by public sewer and water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- *Low and High-Density Residential Dwellings*
- *Home Occupations*
- *Plant/Crop-Based Agriculture*
- *Community Services and Government Uses*
- *Small Offices and Mixed-Use Buildings*
- *Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).*

[3]Development Standards – Residential uses should be allowed at a density of the existing form of the lot with no minimum road frontage required, shared driveways are encouraged, the front setback should be 25 feet max with the consideration that no front yard needs to be any less than the average depth of front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the adjacent lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

T-4.2B is a new zone distinct from T-4.1, T-4.2, T-5.1, T-5.2, and T-6. The attached text, Division 14. Form Based Code, shows the text of the T-4.2 B. The document represents the text of proposed new zone, T-4.2 B. The red sections mark the differences between T-4.2 and T-4.2B. The transects in Auburn are ordered from least to most urban. Form allows multifamily housing in this area capped at 3.5 stories with an attic. Parcel size determines form and therefore number of units. The most prominent differences between T-4.2 andT-4.2B is the size and type of businesses that will be permitted. Office, service, and retail uses limited to 1500 sq ft with a residential unit on the same parcel. Age-restricted retail stores (marijuana stores or dispensaries) are not allowed in T-4.2B. Restaurants with over 30 seats will not be permitted nor will drive-through restaurants.

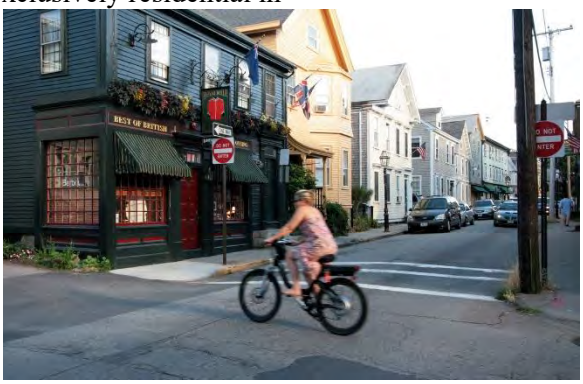
THE PURPOSE BEHIND APPLYING NEW ZONING TO AUBURN'S CITY CORE

1. The proposed zone change will **increase housing opportunity** for more people by lowering barriers to finding housing. Auburn's housing supply is limited and is not increasing fast enough to accommodate both current residents and those who want to call Auburn home. Housing scarcity drives up prices and increasing the supply of housing will lower the cost overtime.

[3] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien

2. [4]The proposed zoning will **allow a wider variety of housing**. Offering choice in housing to residents will allow more residents the freedom to live as they want and not pay more than they can afford. Financial institutions recommend not spending more than 28% of household gross income on housing. Single family homes are outside of the price range and may not meet the lifestyle needs of many people, especially young adults, young families, empty nesters, elderly residents and many in between. The current zoning essentially renders housing that is not single-family or two-family illegal effectively barring those who cannot afford the high price of a single-family home to live with their neighbors. Allowing mixed use housing gives residents of all backgrounds and financial capacities options and promotes community be allowing neighbors to live close to and among each other.

3. [5]Current traditional zoning laws tend to separate where we live from where we work, learn, and shop and force us to center roads over all other aspects of city design. These roads, as they are today, are dangerous to pedestrians and cyclists. We have an over-reliance on cars and Auburn's form-based code is meant to provide an alternative. T-4.2B **encourages walkability** by allowing uses that are not exclusively residential in moderately dense urban environments. There will not be walkability if there is nowhere to walk to. Encouraging infill and small business growth encourages walkability by giving folks spaces to walk to. Suburban sprawl as it exists limits transportation to folks who have a car and assumes that there will be little to no walking. It champions cars and roads over people and centralized communities.



FREQUENTLY ASKED QUESTIONS

How would T-4.2B affect my neighborhood?

Building by form as regulated in T-4.2B will differ based on where you live and the existing neighborhood form. Most city lots are small and already built on, likely limiting additional development to infill housing opportunities and freedom for property owners to add additional units or make improvements to existing homes. The map shows the size of parcels in the urban core area. The map shows that 54.6% of parcels cannot support over four units and 79.4% of parcels cannot support over eight units.

[4] Marblehead Massachusetts. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

[5] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

The larger open areas, five-plus acres in the example, have a form that could support higher development intensity. Of the 571.85 acres on parcels with over five acres in what is proposed to be T-4.2B, only 391.71 acres of the area could be considered for further development (26.6%) because of schools, existing condos, and parks.

[6]The traffic in Auburn is already much too fast and congested. Would higher density in the city core make the traffic worse? Adding more housing, though may add more vehicles to the road in the short term, will allow the city to find projects to improve current road conditions, and invest in improving circulation patterns throughout the city. Increasing density will also make Auburn a more viable location to extend local public transit and especially commuter transportation to and from nearby metro areas like Boston, Portland, and more. Form-based code encourages and supports safe pedestrian traffic, over time also decreasing the heavy reliance on vehicles.

More units will mean more kids who need education. Will T-4.2B make this worse for already strained educators?

Applying form-based code could improve the state of Auburn's schools. Over the past several years, students enrolled in Auburn public schools have been stagnant and falling. Fairview can absorb another 100 students, Walton can absorb another 150, and East Auburn is close to capacity but could absorb about 20 more students. Altogether, the district could absorb up to 500-600 more students.

A reliable marker for determining enrollment trends in schools is the rate of preschool enrollment. Superintendent, Dr. Connie Brown, noted that preschool enrollment has been decreasing over the past several years resulting in needing to close Walton Preschool and reducing the hours of East Auburn preschool. She noted that there are other schools that may need to close if they cannot increase enrollment.

The school district can, and in some cases will need to absorb more students, though it is also struggling with attracting and retaining teachers. The recommended monthly house payment is 28% of a person's income. The entry level pay for a teacher is $42,000, a firefighter starting wage is $45,000 plus average OT is $10,000 for a total of $55,000, and a police officer with OT is $65,000. The average price of an existing, entry level home is $267,500 and the average cost of a new entry level home is $318,000. Based on the 28% recommendation, a person would need to make $87,450.00. / year to afford an existing entry level home, and 104,6000.000/year to afford a new entry-level home. People working the above noted jobs, which are critical to some of the most important city services could not afford to build or purchase a home in the city that they work in. A teacher and fireperson living together still could not afford a single-family home in the city where they work. Dr. Brown stated that her number-one reason for teacher resignations is that they found another job closer to where they live. Housing options need to reflect different families and individuals' lifestyles and incomes.

How might new zoning affect the housing crisis?

[6] T4 Rendering of Spring Street

In his article, "3 Zoning changes that Make Residential Neighborhoods More Affordable", Founder and Director of the Urban Sustainability Accelerator and Institute for Sustainable Solutions at Portland State University, Robert Liberty, identified eliminating single-family-residential-only zoning as an important factor to make residential neighborhoods more affordable. Multifamily housing is outlawed in about 75% of the country which poses a significant barrier for low to middle income residents by reinforcing housing segregation and increasing reliance on cars.[7]

Form-based code allows mixed uses and businesses among homes. What does this mean? What can I expect?

T-4.2B will allow uses other than single family including businesses with a residential unit on the same parcel. Businesses shall not be over 1,500 square feet. Drive-through restaurants are not allowed in T-4.2B and cannabis shops are also prohibited- a change from the first T-4.2 zone. There are some businesses that will be prohibited and most will require Special Exception Approval from the planning board depending on the size and type.

ADDITIONAL READING

The list below includes information about the proposed planning methods and provides case studies of towns and cities which have already applied form-based code.

Center for Applied Transect Studies

The Organization | CNU

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

Market — Missing Middle Housing

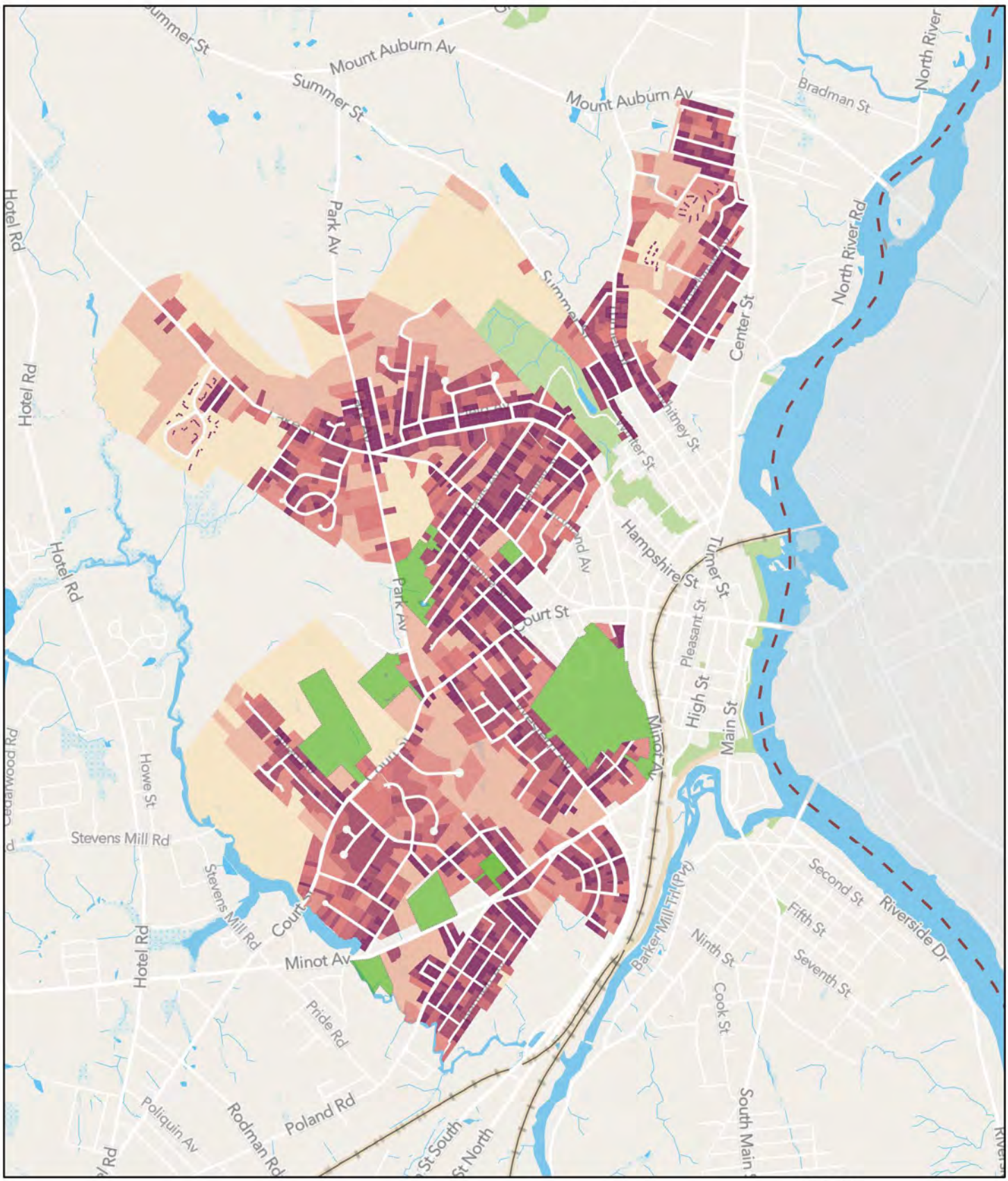
How to Enable MMH — Missing Middle Housing

How Minneapolis became the first to end single-family zoning | PBS News Weekend

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

[7] https://www.planning.org/planning/2021/winter/3-zoning-changes-that-make-residential-neighborhoods-more-affordable/

Court St By Acreage



8/15/2022

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0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

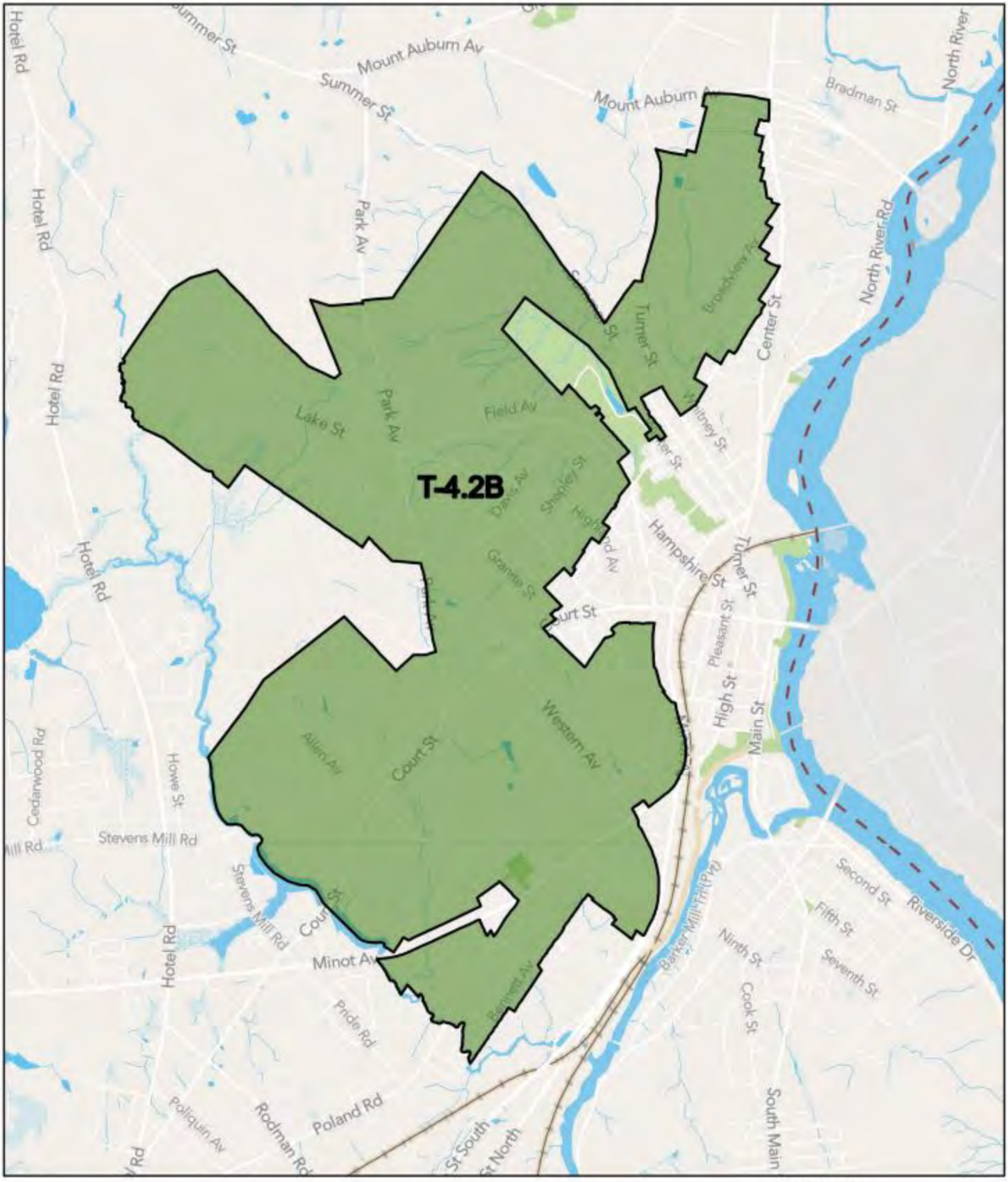
City / Recreation Land

Court St Area

- 0 – 0.25
- > 0.25 – 0.5
- > 0.5 – 0.75
- > 0.75 – 1
- > 1 – 2
- > 2 – 10
- > 10 – 121

Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Court St Area T-4.2B



8/12/2022

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LEGAL NOTICE
CITY OF AUBURN

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAP TO CREATE A NEW TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B DISTRICT

Notice is hereby given that the Auburn Planning Board will hold a Public Hearing on **Tuesday, September 13, 2022 at 6:00** p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine to consider proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B zoning district as follows:

PUBLIC HEARING: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district. The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on a sketch map available in the Planning & Permitting Department. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also available in the Planning & Permitting Department. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update. The map and text showing the proposed changes is available at [illegible] government/planning-board-agendas under the September 13, 2022 Agenda link and in-person at the City of Auburn Planning & Permitting Office, 60 Court Street, Auburn, Maine during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

The Planning Board will, after the close of the public hearing, make a recommendation to the Auburn City Council regarding the proposed amendments. The City Council is expected to conduct First Reading and its own Public Hearing on the proposed amendments on Tuesday, September 6, 2022 at 7:00 p.m. and a Second Reading on Monday, September 19, 2022 at 7 p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine.

Additional information is available and may be obtained from the Auburn Planning & Permitting Department by contacting Katherine Cook at (207) 333-6601 ext. 1155 or [illegible] or John Blais at (207) 333-6601 ext. 1334 or [illegible]

LEGAL NOTICE
CITY OF AUBURN

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAP TO CREATE A NEW TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B DISTRICT

Notice is hereby given that the Auburn Planning Board will hold a Public Hearing on **Tuesday, September 13, 2022 at 6:00** p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine to consider proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B zoning district as follows:

PUBLIC HEARING: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district. The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on a sketch map available in the Planning & Permitting Department. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also available in the Planning & Permitting Department. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update. The map and text showing the proposed changes is available at [illegible] government/planning-board-agendas under the September 13, 2022 Agenda link and in-person at the City of Auburn Planning & Permitting Office, 60 Court Street, Auburn, Maine during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

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ORDINANCE 20-09062022

T-4.2B ZONING ORDINANCE TEXT AND MAP AMENDMENTS
Council First Reading & Public Hearing 9/6/22
Planning Board Public Hearing 9/13/22

Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE

BE IT ORDAINED, that the City Council hereby approves the amendment of the text and map of Chapter 60, Zoning, of the Code of Ordinances as follows:

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1. Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (additions underlined and in red):

Subdivision I. In General

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Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

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2. Amend ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, to add a new Secs. 60-548B, 60-548B.1, 60-548B.2 and 60-548B.3 as follows (text additions in red text and includes images and photographs):

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

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Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

Sec. 60-548B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

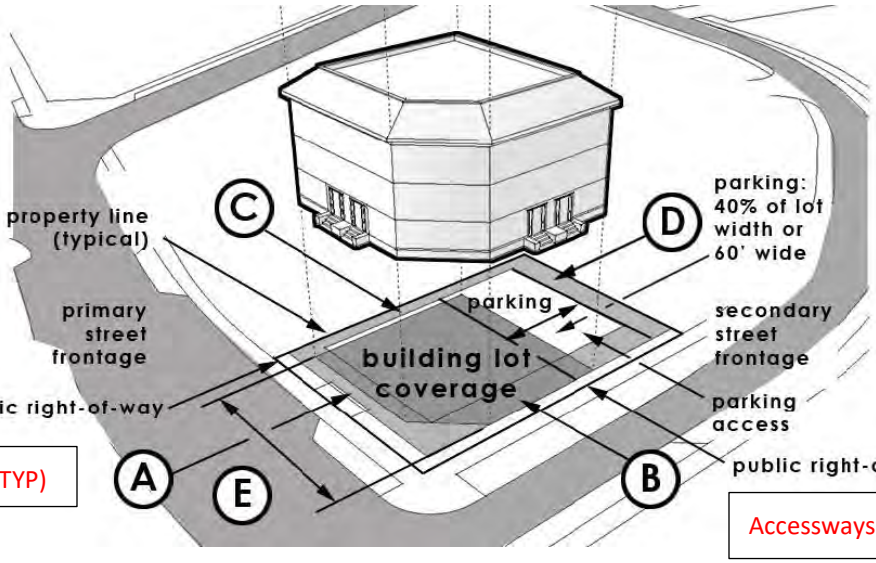
Intent and Purpose:
Traditional Neighborhood (T-4.2B)

The Traditional Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

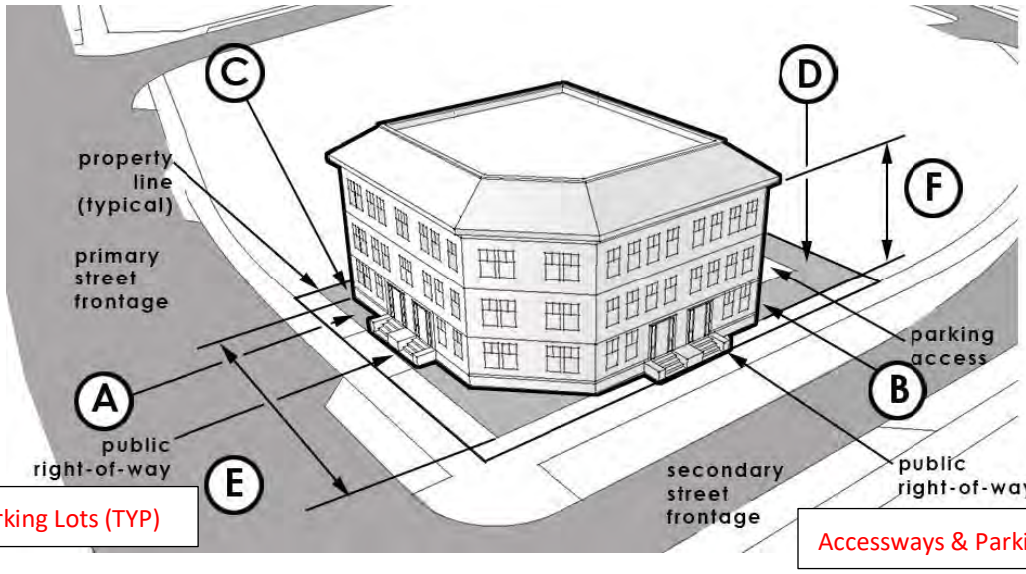
Sec. 60-548B.1. Building placement and configuration T-4.2B.



Accessways & Parking Lots (TYP)

Accessways & Parking Lots (TYP)

Elevated Building Placement



Accessways & Parking Lots (TYP)

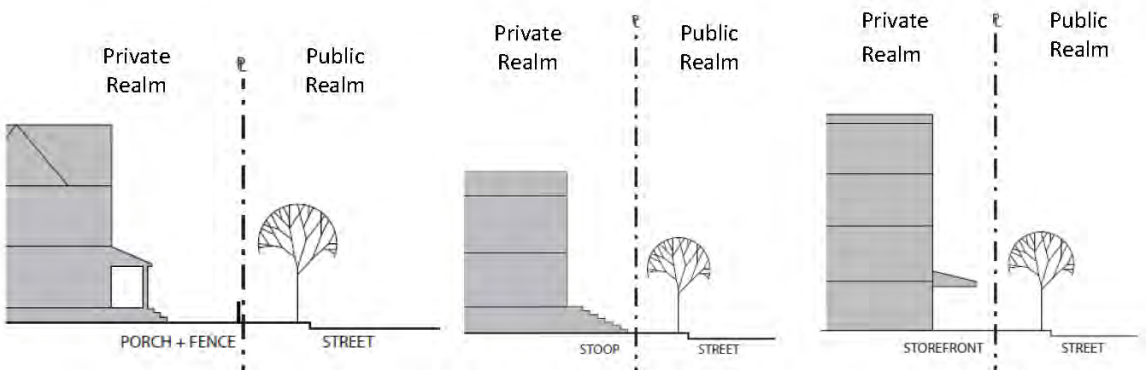
Accessways & Parking Lots (TYP)

Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 25 ft. Max*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

*Where adjacent buildings exceed the maximum setback, the maximum setback may be calculated by the average setback of principal structures on adjacent lots. For undeveloped adjacent lots, a setback of 25 feet shall be used for the calculation.

Sec. 60-548B.2. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Sec. 60-548B.3. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-549. Traditional Downtown Neighborhood T-4.2.

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3. Amend Sec. 60-554 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (text additions underlined and in red; deletions are ~~struck out~~):

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Use Type							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None
Retail Type Use							
General Retail	S	S	S	P	P	P	None
Age Restricted Retail (3)	S	X	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None

Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		X	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	S	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within ~~1,000~~500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must include a residential unit; no drive through businesses allowed.

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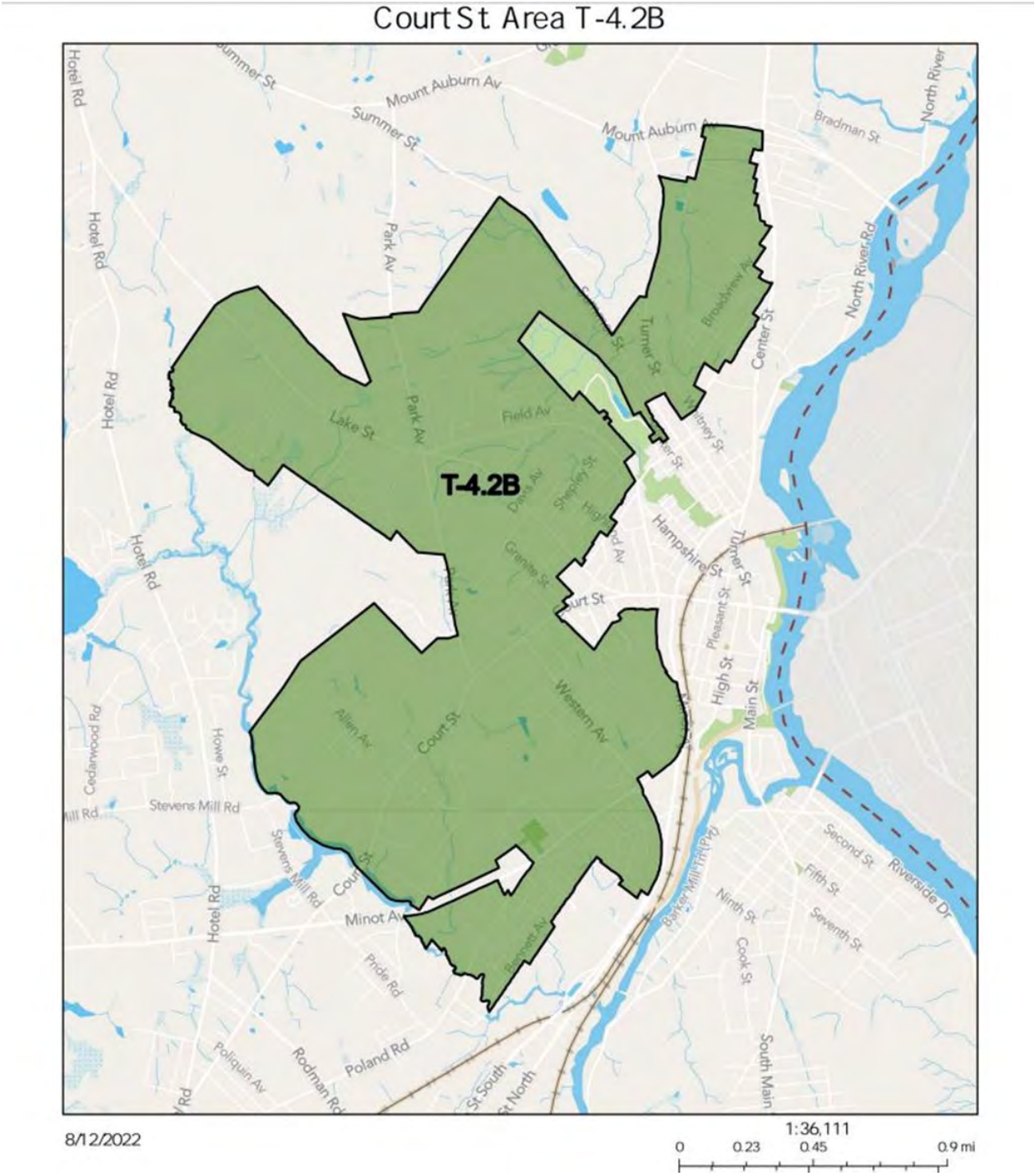
4. Amend the official zoning map of the City of Auburn entitled "City of Auburn, Zoning Map, dated May 16, 2016," revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance, to rezone certain land area from the Urban Residence zoning district to the Traditional Neighborhood Form Based Code T-4.2B zoning district, all as more particularly shown on the attached sketch map. (The attached sketch map is for general reference purposes only. The official zoning map amendment is available for review and inspection at the City Clerk's Office and the Planning & Permitting Department.)

SKETCH MAP OF COURT STREET AREA TO BE REZONED FROM URBAN RESIDENCE TO TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B

The green area outlined in black below is 1,687.41 acres of land area that is currently zoned Urban Residence and is proposed to be rezoned Traditional Neighborhood Form Based Code District T-4.2B. Streets/roads included in the new district are parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Resolve:** 07-09062022

Author: Phil Crowell, City Manager

Subject: Sewer Infrastructure Extension

Information: City staff met recently with officials from the governors office to discuss various topics impacting the housing shortage. With state and federal funding opportunities becoming available, staff is requesting authorization from the city council to explore funding for sewer infrastructure expansion and the creation of an ad-hoc committee to draw upon community resources to advance this initiative.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider the resolve

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

RESOLVE 07-09062022

City Council Resolve

IN CITY COUNCIL

RESOLVED, by the Council of the City of Auburn, Maine, in City Council assembled, that,

WHEREAS, The City of Auburn and the State of Maine are experiencing a housing crisis making housing difficult to secure or unattainable for more than half of Maine people if they did not already own a home in 2019.

WHEREAS, a lack of sewer infrastructure is preventing higher density residential development in South Auburn; and,

WHEREAS, the 2021 Comprehensive Plan identified the area north and west of the Maine Turnpike as a Designated Growth Area in the Future Land Use Map given its proximity to existing densely developed neighborhoods and the potential for existing transportation capacity to serve growth while maintaining mobility; and,

WHEREAS, the 2021 Comprehensive Plan established a goal to "Provide safe and adequate sewage disposal that meets the needs of current and future residents and businesses in coordination with the Future Land Use Plan" and further "When economically feasible, work with developers to expand the sewer service to areas designated for future growth by the Future Land Use Plan;"

WHEREAS, Undeveloped land served by public utilities can provide for a great number of housing units when compared to those developments requiring individual wastewater disposal systems; and,

WHEREAS, the City Council to authorize the City Manager to explore funding opportunities for utility extensions, improvements and capacity increases. To include all cost, but not limited to feasibility and capacity studies, design, estimating and construction cost; and,

WHEREAS, to support State of Maine charge to consider measures that would encourage increased housing options in the City of Auburn including but not limited to municipal incentives, state mandates (LD 2003) eliminating or limiting single- family-only zones and allowing greater housing density near transit, jobs, schools or creation and development of neighborhood centers that would be supported by utility and infrastructure expansion; and

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

RESOLVE 07-09062022

City Council Resolve

WHEREAS, Collaboration with the State of Maine; Governor's Office, Executive Branch and Legislative Body to support increase housing opportunities in the City of Auburn while exploring funding avenues for public infrastructure.

NOW, THEREFORE, BE IT RESOLVED, by the Auburn City Council in City Assemble, that there hereby an Ad Hoc, Public Infrastructure Committee created, and the membership, terms, offices and duties shall be as follows:

1. Create a joint effort among The State of Maine, City of Auburn staff, Auburn Sewer and Water District, City Council and the Citizens of Auburn to explore funding avenues for public Infrastructure.
2. To advance this important project, draw upon resources of the community, state, federal and city resources to plan with sufficient detail to create funding opportunities for City of Auburn Public Infrastructure to create housing opportunities.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 6, 2022 **Order:** 126-09062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Accessory Dwelling Unit Development (ADUD) Program

Information:
The City of Auburn is seeking funds from the Maine State Housing Authority (MSHA) Community Solutions Grant to implement a new housing initiative designed to help residents overcome the financial barrier of creating new rental units. This forgivable loan program is designed to rapidly enhance the creation of privately built secondary or accessory dwelling unit (ADU) housing where appropriate zoning and municipal infrastructure is accessible.

This program is contingent on approval and awarding of funds by Maine State Housing Authority.

City Budgetary Impacts:
The Office of Business & Community Development is seeking $225,000 in ARPA funds to leverage $250,000 in MSHA grant funds and $50,000 of in-kind program delivery.

Staff Recommended Action:
Vote to authorize the use of $225,000 in ARPA funds for the Accessory Dwelling Unit Development (ADUD) Program, contingent on Maine State Housing Authorities awarding of Community Solutions Grant funding.

Previous Meetings and History:
8/1/2022 The mayor presented an overview for staff to work from.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:
Accessory Dwelling Unit Development (ADUD) Program Summary

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Sept 1, 2022

Accessory Dwelling Unit Development (ADUD) Program

The office of Business & Community Development believes the construction of new rental units is essential in meeting the needs of current and future Auburn residents alike. We also believe that residents who rely on affordable housing services, such as housing choice vouchers (HCV) or affordable unit development, deserve a choice on where they live and which school their children attend. Each neighborhood in this city has a distinct style and value, as does each resident. Allowing all families, regardless of income, the freedom to choose their home and what environment in which to raise their children is an essential right. To this end, the city is embracing development models which increase housing choice for residents who rely on affordable housing while simultaneously leveraging private capital to meet the modern demand of a rapidly evolving housing market.

The City of Auburn is seeking funds from the Maine State Housing Authority (MSHA) Community Solutions Grant to implement a new housing initiative designed to help residents overcome the financial barrier of creating new rental units on their property. This forgivable loan program is designed to rapidly enhance the creation of privately built secondary or accessory dwelling unit (ADU) housing where appropriate zoning and municipal infrastructure is accessible.

Goal: The program goal is to create 15 new housing units over 2 years by incentivizing infill and locally owned rental unit construction. These units are less costly to construct for state and local government and allows for more rapid creation of units by leveraging local contractors, private capital and municipal infrastructure. These initial units will further the intent of LD 2003 and serve as a catalyst for further private construction city-wide.

Target audience: Individuals with the desire to build small (less than <800 sq/foot) attached or detached accessory dwelling units for rent. This program has the added benefit of decentralizing the ownership and development of affordable housing while providing sustainable, residual income for Auburn property owners. This program will be available for property owners city-wide where zoning permits. Property owners will income qualify at or below 120% of the Area Median Income (AMI).

Local Needs Assessment: Auburn Housing Authority provided data on the Housing Choice Voucher centralized waitlist. This data quantifies 454 current applicants. 411 applicants currently qualify under 60% AMI with 121 applicants residing in “temporary residences”, 26 being housed

in a shelter or hotel and 33 reporting that they are currently "living in a place not normally used for housing." Lastly, 57 of the current waitlist applicants are households of 3 or more.

Additionally, SafeVoices, a domestic violence shelter received a total of 325 local shelter requests in the previous year but were only able to house 83 individuals. This leaves an unmet need of 242 families which were under-served by their current capacity and ability to rapidly re-house domestic abuse victims within the city through a combined effort of the city security deposit assistance and SafeVoices resources. The creation of 15 new units supported in part by the city's security deposit program will help to address this shortage and re-house low-income and at-risk residents.

Affordable Housing Development: Units enrolled in this program will be newly constructed after program launch date and will be rented to low-income tenants (qualified under 80% AMI) for a period of 5 years. Additionally, rent for enrolled units will not exceed the lower of HUD's published Fair Market Rent (FMR), or 30% of tenant monthly income (including utilities) for a period of 5 years. The city of Auburn will monitor compliance during this affordability period and re-qualify any new tenants if there is turn-over in the unit.

Financial components: This program will provide a forgivable loan up to 15% of actual construction costs of a property which adds a new accessory dwelling unit. This construction will be verified by the Business & Community Development Department, Assessing & Code Enforcement. Average anticipated cost of an 800 sq/ft unit on a single-family residential lot in Auburn is $200,000. All projects will be properly permitted and approved by the city Code Enforcement Office and must receive an occupancy permit within 6 months.

Occupancy: The city will manage applications and monitor occupancy of assisted units through its Security Deposit application process for 5 years. Tenants applying for Security Deposit grants must provide income verification documents and be approved by the Director of Business & Community Development per the current program guidelines. The tenant and landlord will execute a lease that conforms to HUD guidelines.

Timeline: The city expects to secure matching funds by November 1st. Contingent upon receipt of MSHA Community Solutions Grant, this program will be launched and begin taking applications by December 1st, 2022. Expectations are that construction will begin summer of 2023 with the first units being occupied by late fall 2023. The program will continue until all funds are disbursed. Monitoring and reporting will continue for 5 years after the final unit is occupied.

Proposed Budget: This program will employ $225,000 of city ARPA funds, $25,000 of HOME funds, $25,000 in city funded staff hours and $250,000 MSHA Community Solutions grant. Additionally, private leveraged funds are estimated at $2.5 million.

As indicated in the Sources & Uses table below, the city intends to match MSHA funds with ARPA funds to capitalize the forgivable loan pool. In-kind matching funds will be provided by the city's CDBG & HOME allocations to facilitate and monitor these units for the duration of the 5-year affordability period. Additional HOME funds will be utilized to provide security deposits to

qualified tenants. Upon vacancy, these funds, unless used by the landlord to repair the unit, will be turned over to the qualified tenant.

Sources and Uses	PY2022
Sources	Budget
Total Sources=	$525,000
Community Solutions Grant Loan Pool Funds (CSG)	$250,000
Auburn Matching Loan Pool Funds (ARPA)	$200,000
Auburn Admin (ARPA)	$25,000
Program Delivery (HOME/CDBG)	$25,000
HOME Funded Security Deposits	$25,000
Total Uses=	$525,000
Program Administration (5 years)	$25,000
Anticipated New Units	15
Max expense per unit	$33,333
Per Unit Averages	
Forgivable Loan	$30,000
City staff (App, Inspections & Monitoring)	$1,667
HOME Funded Security Deposit	$1,667
Average unit development cost	$200,000
Private Funds Leveraged=	$2,550,000.00

ORDER 126-09062022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby authorizes the use of $225,000 in ARPA funds for the Accessory Dwelling Unit Development (ADUD) Program, contingent on Maine State Housing Authorities awarding of Community Solutions Grant funding.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
September 19, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Homeowner Relief – Phil Crowell
- **B.** Open Session Guidelines – Phil Crowell
- **C.** Food Service License (Lemonade Stands) – Sue Clements-Dallaire
- **D.** Executive session, Legal Consultation, pursuant to 1 M.R.S.A. §405(6)(E)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Morin

Pledge of Allegiance

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

1. Order 127-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Corp. located at 78 & 80 Hotel Road.

2. Order 128-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Co., LLC. located at 522 Washington Street.

3. Order 129-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts located at 940 Washington St. N.

4. Order 130-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

5. Order 131-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

II. Minutes

- September 6, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 20-09062022
Amending the zoning district T-4.2B. Second reading.

VI. New Business

1. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020.

2. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021.

3. Order 132-09192022
Amending the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

4. Ordinance 21-09192022
Amending the GA Maximum Appendices. Public hearing and first reading.

5. Order 133-09192022
Directing the City Manager to draft a Request for Proposal (RFP) procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

6. Order 134-09192022
Adopting the Rules & Procedures Governing Open Session and Public Comment.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – August Finance Reports

IX. Executive Sessions – None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022

Author: Kelsey Earle, Deputy Finance Director

Subject: Homeowner Relief Program 2022

Information: The anticipated goal is to provide $300.00 dollar checks to homeowners 65 and older, who's taxes increased by $300.00 dollars or more, and currently qualify for the Homestead exemption. The Council would allocate $700,000.00 from the American Rescue Plan Act (ARPA) funds to cover the cost of this initiative. There would be an application created by city staff, made available by November, with a deadline to apply of February 1st. This would allow a 3-month window for qualifying homeowners to apply for the funds.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends exploring this opportunity.

Previous Meetings and History: September 6, 2022, Order 125-09062022 Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief. Vote was tabled.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Rules & Procedures Governing Open Session/Public Comment

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Information: The City Manager will review a the proposed Rules & Procedures Governing Open Session and Public Comment.

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion, and recommended that Council vote on the proposed document during tonight's meeting.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Draft Rules & Procedures Governing Open Session/Public Comment

RULES & PROCEDURES GOVERNING OPEN SESSION/PUBLIC COMMENT

City Council meetings are conducted to carry on the official business of the City of Auburn. All meetings of the City Council, except Executive Sessions, are open to the public. The public is cordially invited to attend City Council meetings, and to participate in them consistent with the provisions of this policy and with the exception of Council workshops, which are primarily intended for the Council and staff to review and discuss items prior to their appearance on a regular City Council meeting.

The intent of this policy is to allow a fair and adequate opportunity for the public to be heard, to express opinions and concerns related to the business of the City, and to provide adequate time for the City Council to obtain information and opinions on subjects before it while ensuring that the time allowed for public input does not interfere with the addressing the scheduled agenda.

To carry out these purposes, the following rules and procedures shall govern the public comment period at all Auburn city council meetings:

GENERAL OPEN SESSION

An open session, or public comment period, shall be conducted near the beginning and end of all regular City Council meetings, at which time Auburn residents will have the opportunity to be heard on matters directly relating to City business that ARE NOT included on the regular agenda. Individuals addressing the Council during the public comment period will limit their comments to (3) three minutes. Up to forty-five (45) minutes will be allocated for general public comment periods. If the general public comment period exceeds 45 minutes, the public comment period will be suspended by the Mayor to allow the Council to conduct its business and out of courtesy for those attending the meeting for a specific agenda item. If needed, the open session will continue at end of the meeting as listed in the agenda. The Council will not engage in dialogue with the public during this time. Questions posed during the public comment period will be followed up upon after the meeting. Individuals requesting further information should leave their contact information with the City Clerk.

Open session will not be conducted at workshops, emergency meetings, or special meetings of the City Council.

ADDRESSING SPECIFIC AGENDA ITEMS

Public comments will be allowed during a meeting on those items requiring a public hearing and on other items appearing on the agenda. These comments should be DIRECTLY related to the specific agenda item being addressed. Public comments will not be taken during workshops unless a request is made to the Mayor by an individual Councilor.

RULES GOVERNING OPEN SESSION

1. Since meetings are broadcast and recorded, persons wishing to speak must use the public podium located to the left side of the audience, and speakers must preface their comments by giving their full name and address.

2. Comments must be limited to issues or concerns DIRECTLY related to Auburn municipal government. Public comment on matters not related to the City business will not be allowed, so as

to make sure that all meetings are carried out in a productive and efficient time and in keeping with the interests of all who attend and participate in a Council meeting.

3. Per state law, found in Title 1, Section 408, complaints or charges from the public about an individual employee will not be permitted. Such comments should be directed to the City Manager for their immediate follow-up and review.

4. Comments related to the following will be ruled out of order by the Mayor:

    a. Specific situations that are in litigation, including those in which the City is a party (issues of a criminal or legal nature should be addressed with the Auburn Police Department or other criminal justice agency). Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided;
    b. Personal disputes between the speaker and other private residents not germane to City business; or
    c. Support for or opposition to any candidate for political office.

5. Individuals will be restricted to speaking once during the general public comment period and once per public comment period for each specific agenda item.

6. Individuals addressing the Council shall direct their remarks exclusively to the Mayor. No person other than the elected officials and the individual at the podium shall be permitted to enter into any discussion, either directly or through members of the Council. The public comment period is an opportunity for residents to express their views on matters relating to City business.

7. As a limited designated public forum, the City Council does not have the right to prohibit disparaging, rude and other remarks of a personal nature. But, because of the potential implications, including personal liability of the speakers, speakers are encouraged to strive to be accurate in their statements and avoid making personal, rude, or provocative remarks.

8. All statements should respect the dignity and seriousness of the proceeding.

9. Persons present at Council meetings shall not interrupt, nor applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting, except for those instances that are listed on the Council Agenda under Public Recognition where the Mayor or a City Councilor are formally recognizing and individual or group for their accomplishments.

FAILURE TO FOLLOW GUIDELINES

The Mayor will limit commentary that is determined not to be germane to City business or the topic at hand, or which violates any of the guidelines listed above. The Mayor will direct any individual not operating in accord with these guidelines to cease such action or risk being asked to be seated or removed. If such conduct continues, the Mayor will call a recess, request the removal of such person(s) from the Chambers, adjourn the meeting, or take other such appropriate action. Repeated violations by any individual will result in the Mayor revoking that individual's right to speak at future meetings. Should the Mayor fail to take action, any Councilor may move that the Mayor enforce the rules and guidelines and, if denied, request that the Council vote on the motion.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Food Service Establishment – Lemonade Stands

Information: During the September 6, 2022 Council meeting, Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be $200. He has asked Councilor Hawes to co-sponsor an ordinance that they will try to present at the September 19, 2022 City Council meeting regarding waiving that fee.

Three options are listed below for the Councils consideration:

1. **Sec. 14-31 Fees; Waiver**

   This section of our Code states: The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the city council The city council is the only authority allowed to waive fees prescribed by ordinance. **An application for waiver of any fees must be presented in writing to the city clerk to be brought to the city council at its next available meeting**.

With this provision, an ordinance amendment would not be necessary and the City Council can determine on a case by case basis if they would like to waive the fee if someone were to request a license for a lemonade stand.

2. **Sec. 14-31 Fees; Waiver**

   This section of our Code states: The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the city council The city council is the only authority allowed to waive fees prescribed by ordinance, except that the City Clerk has the delegated authority to waive the fee for minors operating a temporary lemonade stand on private property. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the city council at its next available meeting.

This provides the City Clerk to waive the fee without having to bring forth to the City Council. This option would be an ordinance amendment and would require a public hearing and two readings.

3. **Sec. 14-49 Exemptions from license requirement or fees**.
   This section of our code lists exemptions from license requirement or fees.

We could include the following to that section which would exempt minors operating a lemonade stand on private property from having to obtain a license.

(h) Minors operating a temporary lemonade stand on private property.

Option three would be an ordinance amendment and would require a public hearing and two readings.

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion and recommendation

Previous Meetings and History: Councilor Morin discussed bringing this forward during the 9/6/2022 Council meeting.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

OPTION 2 - DRAFT

Sec. 14-31. Fees; waiver.

This section of our Code states: The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the city council The city council is the only authority allowed to waive fees prescribed by ordinance, except that the City Clerk has the delegated authority to waive the fee for minors operating a temporary lemonade stand on private property. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the city council at its next available meeting.

(Ord. No. 38-02072011-05, att. §§ 24-31, 2-7-2011)

OPTION 3 - DRAFT

Sec. 14-49. Exemptions from license requirement or fees.

(a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.

(b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.

(c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.

(d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.

(e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.

(f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.

(g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.

(h) Minors operating a temporary lemonade stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011)

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022

Subject: Executive Session

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

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **Orders:** 127-09192022 through 131-09192022

Author: Alison F. Pepin, Deputy Clerk

Subject: Automobile Graveyard/Junkyard permit renewals

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn, which require Council approval. All have passed inspections conducted by the Code and Fire Departments. These are routine, yearly renewals.

Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North
Isadore T. Miller, 78 & 89 Hotel Road
M & P Auto, Inc., 227 Merrow Road
Prolerized New England Company, LLC., 522 Washington St. North
Randy's Auto Parts, Inc., 899 Broad Street

City Budgetary Impacts: None

Staff Recommended Action: Approve all renewal applications.

Previous Meetings and History: Annual Renewal

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- Automobile Graveyard/Junkyard applications
- Inspection e-mail from Eric Cousens (Planning & Permitting)
- Approval email from David O'Connell (Fire Department)
- Orders

From: David O"Connell
To: Alison Pepin
Subject: RE: Automobile Graveyard Apps
Date: Friday, September 2, 2022 8:57:03 AM
Attachments: image001.png

Hi Alison,

Fire approves all of the auto salvage yards.

Thank you,

David N O'Connell CEO CFI-I MIAAI
Fire Prevention Officer, Auburn Fire Dept., City of Auburn
550 Minot Ave | Auburn, Maine 04210 | 207.333.6633 X6

This e-mail and any file attachments may be subject to the provisions of the Freedom of Access Act. The content of this e-mail or any response to it could be disclosed unless the information it contains is protected from disclosure under an exemption in the Act or another statute. Email messages and any file attachments may contain confidential, legally privileged and/or law enforcement sensitive information and are only intended for the addressee. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. If you have received the email in error, you should delete the message and any attachments immediately, including any backups and temporary files and notify the sender.

From: Alison Pepin <apepin@auburnmaine.gov>
Sent: Wednesday, August 24, 2022 9:05 AM
To: David O'Connell <doconnell@auburnmaine.gov>
Subject: RE: Automobile Graveyard Apps

Prolerized New England – 522 Washington Street – Phone # (617)387-7298
Isadore T. Miller – 79 & 80 Hotel Road – Phone # (617)387-7298
M & P Auto – 227 Merrow Road – Albert Bazinet, Jr 212-0217
Randy's Auto Parts – 899 Broad Street – Ronald & Ernest Levasseur – 782-9589
Morris Auto Parts – 940 Washington Street, N – Donald St. Germain – 754-1608

Alison F. Pepin
License Specialist/Deputy City Clerk
60 Court Street
Auburn, ME 04210
207.333.6601 EXT 1121

From:	Eric Cousens
To:	Alison Pepin
Cc:	Katherine Cook
Subject:	September 2022 Junkyard Inspections - Planning and Permitting
Date:	Friday, September 9, 2022 3:01:08 PM
Attachments:	Outlook-b55nhiyc.png

Alison,
On September 9, 2022 we inspected the following Junkyards:

Don's Towing / Morris Auto Parts - Washington Street North - Planning approves of the license renewal. Vehicles are being stored outside of floodplain until fluids are drained as required. Fencing is in poor condition but still meeting basic screening requirements. Building is in the process of being painted and fencing improvements are planned.

M&P Auto Parts - 227 Merrow Road - Planning approves of the license renewal. Fewer cars than normal.

Randy's Auto Parts - 899 Broad Street - Planning approves of the license renewal. Fewer cars than normal.

Isadore T Miller - 79 and 80 Old Hotel Road - Planning approves of the license renewal. Currently no Junk at the property but they maintain the license.

Prolerized New England - 522 Washington Street North- Planning approves of the license renewal.

Eric J. Cousens
Director of Planning and Permitting
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154
www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records. E-mail sent or received by City employees are subject to these laws. Senders and receivers of City e-mail should presume that messages are subject to release.

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Police- BS. 8/23/22
Fire- DO 9/2/22
Code- EL 9/2/22
Tax - TN 8/23/22

CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

****

To the **City of Auburn**, County of **Androscoggin, Maine:**

I/We **Isadore T. Miller** hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
   Physical Address: **79 & 80 Hotel Road, Auburn, ME 04210**
   Mailing Address: **Attn: Licensing 10860 Gold Center Drive, Rancho Cordova, CA 95670**
   Email address: **Amrlicesnerenewal@schn.com**

2. Is this application made by or for a company, partnership, corporation or individual:
   Corporation

3. Is this property leased? **No** Property owned by: **Isadore T. Miller**
   Address: **79 & 80 Hotel Road, Auburn, ME 04210**

4. How is "yard" screened?
   - ☐ Fence (type) **Wood** Height: **6ft.**
   - ☐ Trees (type)_____
   - ☐ Embankment:_____
   - ☐ Gully:_____
   - ☐ Hill:_____
   - ☐ Other:_____

5. How far is edge of "yard" from center of highway? **200 ft.**

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

6. Can junk be seen from any part of highway? Yes No **X**

7. Were Junkyard Law, Requirements and Fees explained to you? Yes **X** No

8. Is any portion of this "yard" on public property? Yes No **X**

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or **Cemetery**? Yes **X** No

10. When was "yard" established? **1930** By whom? **Barker Family**

11. When was last permit issued? **2021** By whom? **City of Auburn to Isadore T. Miller**

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: _____ for: **Prolerized New England Co, LLC**
Name of Company, Corporation, Partnership or Individual

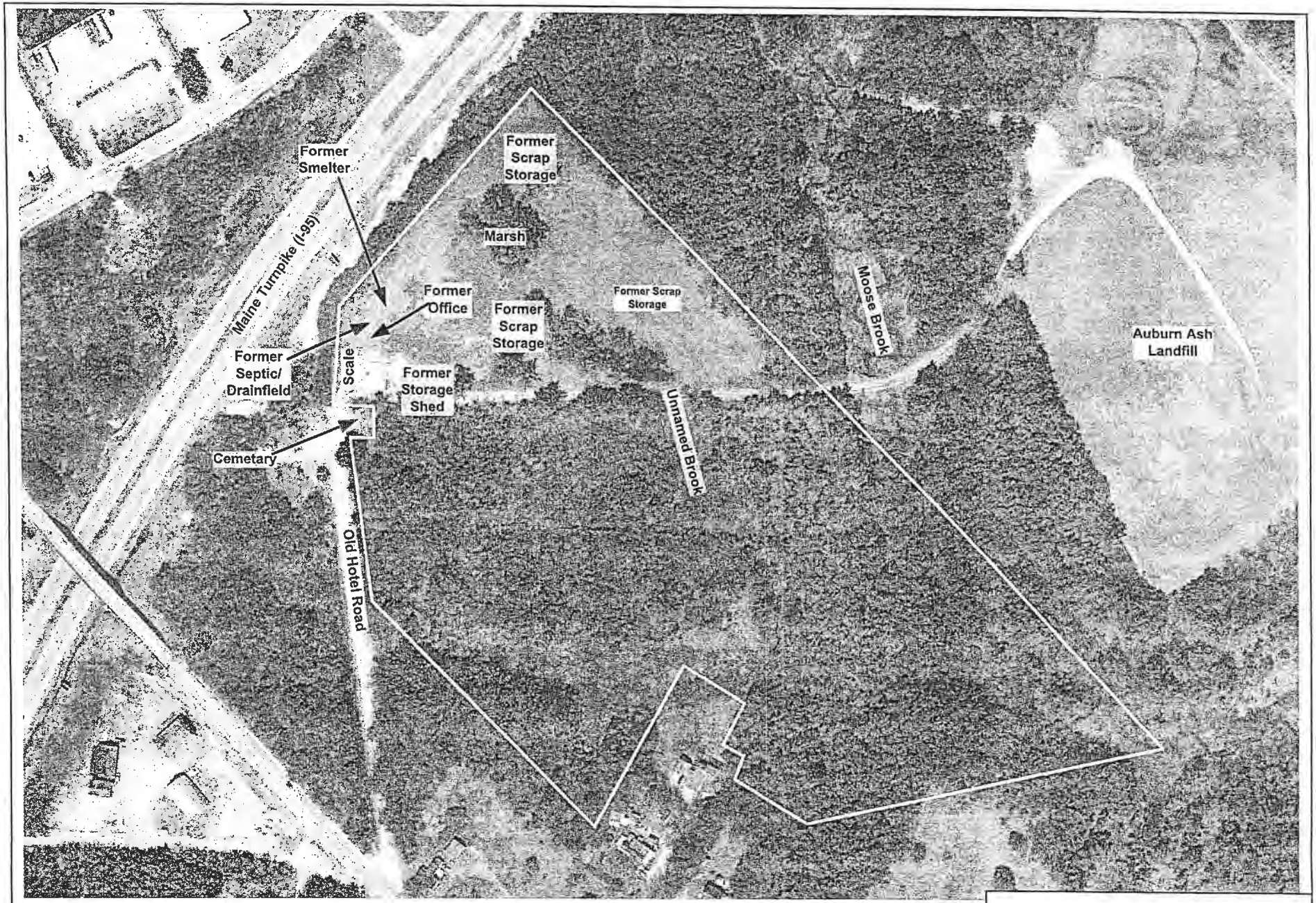
Address: **11 Times Square, NY, NY**

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. **79**
Lot No. **017 & 018**
Zone **13**

Check correct direction:
- ☐ North
- ☐ East
- ☐ West
- ☐ South

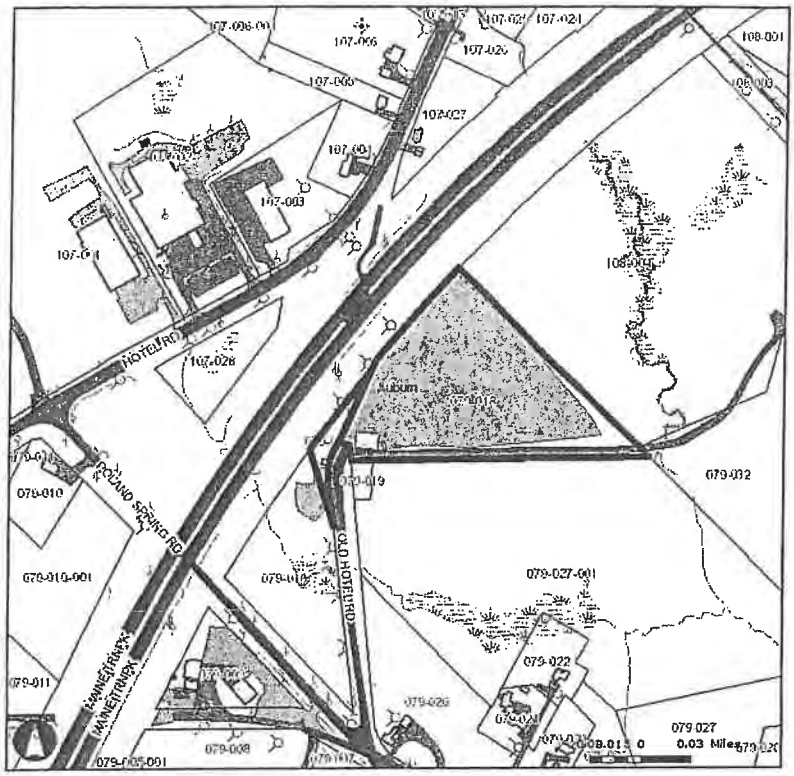
1 copy of application to City
1 copy of application to Applicant
1 copy of application to State Police, Augusta
1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)



Danville
79 Old Hotel Road, Danville, ME
MRB Northeast

RIEKE CONSULTING SERVICES, LLC

Map



079-017 (1)

Parcel IDs (1)

OBJECTID	OBJECTID_1	MAP	LOT	SUBLOT	PID	CHANGED	ParcelID	Loc	NBC	Webpro	AccountNumber	UserAccount	Number_	AltStreet	StreetName	LocCity	CondoUnit	Owner1	Owne
880	981	079	017	000	079017000	Null	079-017	80 OLD HOTEL RD	R3	WebPro Summary Page	238	079017000	80	Null	OLD HOTEL RD	Null	Null	MILLER ISADORE T CO INC	Null

079-018 (1)

Parcel IDs (1)

OBJECTID	OBJECTID_1	MAP	LOT	SUBLOT	PID	CHANGED	ParcelID	Loc	NBC	Webpro	AccountNumber	UserAccount	Number_	AltStreet	StreetName	LocCity	CondoUnit	Owner1	Owr
155	966	079	018	000	079018000	Null	079-018	79 OLD HOTEL RD	I3	WebPro Summary Page	239	079018000	79	Null	OLD HOTEL RD	Null	Null	MILLER ISADORE T CO INC	C/O SCHN. STEEL

ORDER 127-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Isadore T. Miller, located at 78 & 79 Old Hotel Road.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Police - BS 8/23/22
Fire - DO 8/2/22
Code - EC 8/2/22
Tax - TN 8/23/22

CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

****

To the **City of Auburn**, County of **Androscoggin, Maine:**

I/We **Prolerized New England Company, LL** hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
   Physical Address: **522 Washington Street, Auburn, ME 04210**
   Mailing Address: **Attn: Licensing 10860 Gold Center Drive, Rancho Cordova, CA 95670**
   Email address: **Amrlicesnerenewal@schn.com**

2. Is this application made by or for a company, partnership, corporation or individual:
   Corporation

3. Is this property leased? **No** Property owned by: **Prolerized New England**
   Address: **69 Rover Street, Everett, MA 02149**
   Phone number:**617-387-7298**

4. How is "yard" screened?
   - ☐ Fence (type) **Metal** Height: **8ft.**
   - ☐ Trees (type)_____
   - ☐ Embankment:_____
   - ☐ Gully:_____
   - ☐ Hill:_____
   - ☐ Other:_____

5. How far is edge of "yard" from center of highway? **150 ft.**

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

6. Can junk be seen from any part of highway? Yes No **X**

7. Were Junkyard Law, Requirements and Fees explained to you? Yes **X** No

8. Is any portion of this "yard" on public property? Yes No **X**

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes No **X**

10. When was "yard" established? **1986** By whom? **Main Metal Recycling**

11. When was last permit issued? **2021** By whom? **Prolerized New England Co, LLC**

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: _____ for: **Prolerized New England Co, LLC**
Name of Company, Corporation, Partnership or Individual

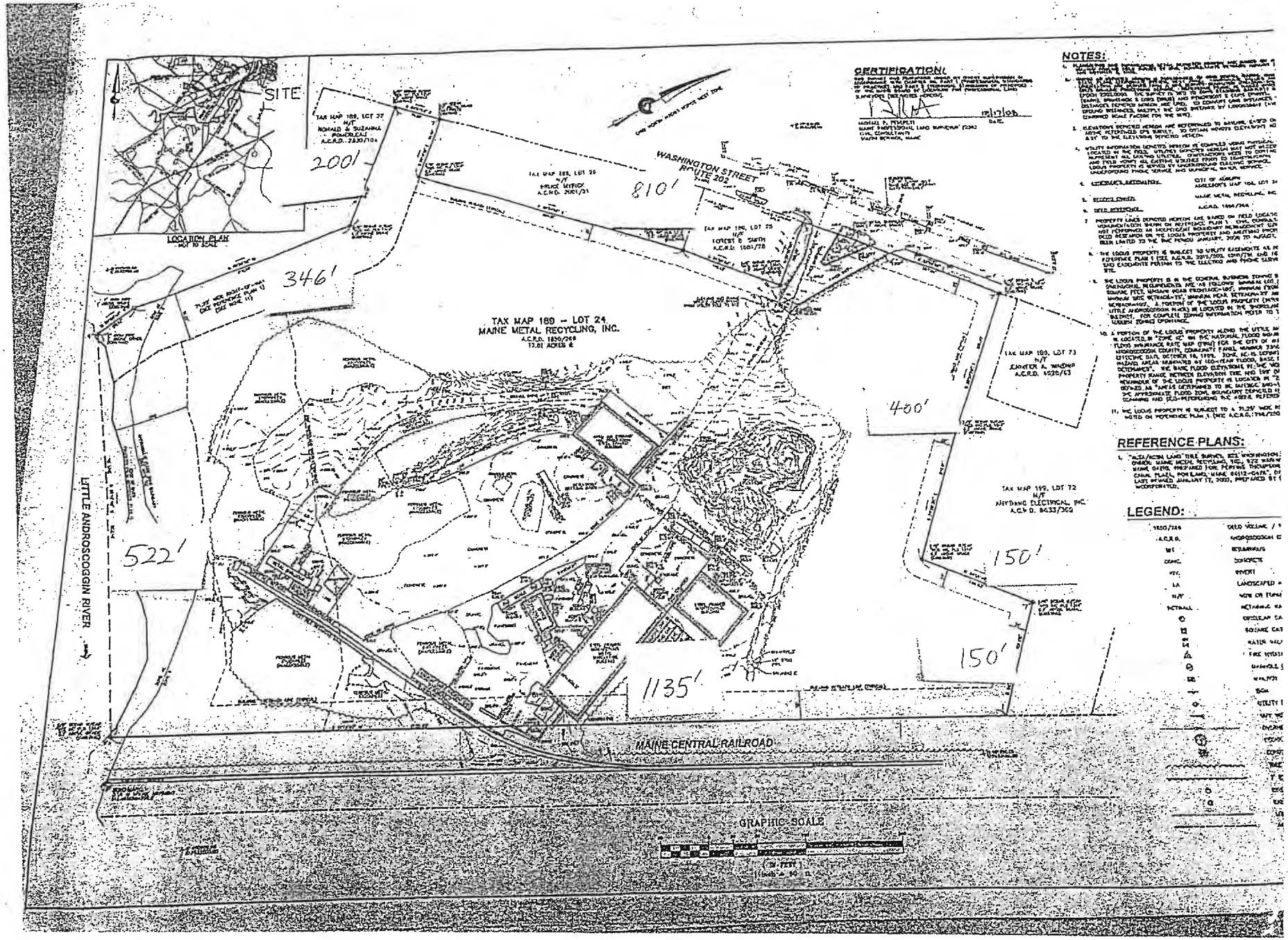
Address: **11 Times Square, NY, NY**

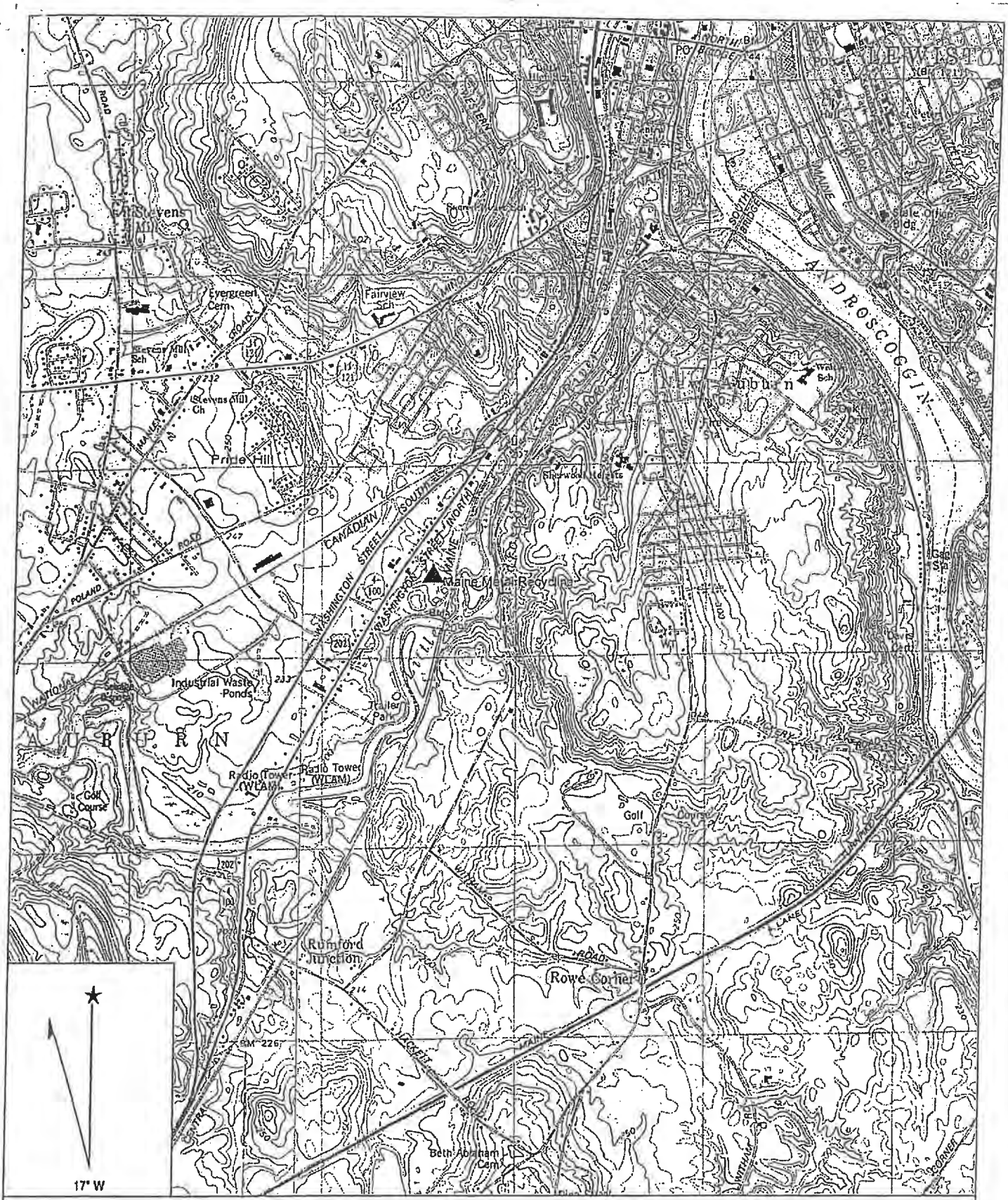
Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. **189**
Lot No. **024**
Zone **GB9**

Check correct direction:
- ☐ North
- ☐ East
- ☐ West
- ☐ South

1 copy of application to City
1 copy of application to Applicant
1 copy of application to State Police, Augusta
1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)


SITE
LOCATION PLAN
NOT TO SCALE
TAX MAP 189, LOT 37
N/F
RONALD & SUZANNE POWERLEAU
A.C.R.D. 2530/104
200'
WASHINGTON STREET
ROUTE 202
810'
TAX MAP 189, LOT 25
N/F
BRUCE MITROU
A.C.R.D. 2001/21
TAX MAP 189, LOT 23
N/F
LOVEST D. SMITH
A.C.R.D. 1001/28
346'
TAX MAP 189 – LOT 24
MAINE METAL RECYCLING, INC.
A.C.R.D. 1850/269
12.81 ACRES ±
TAX MAP 189, LOT 73
N/F
JENNIFER A. WILDING
A.C.R.D. 4926/63
400'
TAX MAP 189, LOT 72
N/F
AllyBang ELECTRICAL, INC.
A.C.R.D. 8433/302
150'
150'
522'
1135'
LITTLE ANDROSCOGGIN RIVER
MAINE CENTRAL RAILROAD
GRAPHIC SCALE
CERTIFICATION
NOTES:
REFERENCE PLANS:
LEGEND:



Name: LEWISTON
Date: 10/20/2006
Scale: 1 inch equals 2000 feet

Location: 044° 04' 14.2" N 070° 14' 14.1" W
Caption: Figure 1: Site Location Map
Maine Metal Recycling
522 Washington St. Auburn, ME

Copyright (C) 1997, Maptech, Inc.

ORDER 128-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC., 522 Washington St. North.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine
Office of The City Clerk
60 Court Street Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

Police - 9/2
Fire - 9/2
Code - 9/2
Tax - 9/2

2022

CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

****

To the **City of Auburn**, County of **Androscoggin, Maine:**

I/We BRYAN McLEAN, Donald St. GERMAIN DONS DBA/ MORRIS AUTO PARTS hereby Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
   940 WASHINGTON St. NORTH
2. Is this application made by or for a company, partnership, corporation or individual:
   CORPORATION
3. Is this property leased? NO Property owned by: Donald St. GERMAIN
   Address: 940 WASHINGTON St. NORTH
   Phone number: 207-754-1608
4. How is "yard" screened?
   - ☒ Fence (type) Wood Height: 8 FT'
   - ☐ Trees (type)
   - ☐ Embankment:
   - ☐ Gully:
   - ☐ Hill:
   - ☒ Other: METAL 8 FT'
5. How far is edge of "yard" from center of highway?
   53 Ft Center To Fence

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

6. Can junk be seen from any part of highway? Yes____ No [redacted]

7. Were Junkyard Law, Requirements and Fees explained to you? Yes [redacted] No____

8. Is any portion of this "yard" on public property? Yes____ No [redacted]

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes____ No [redacted]

10. When was "yard" established? 1938 By whom? MORRIS Auto Parts

11. When was last permit issued? 2021 By whom? City of Auburn
2022 = State of MAINE

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

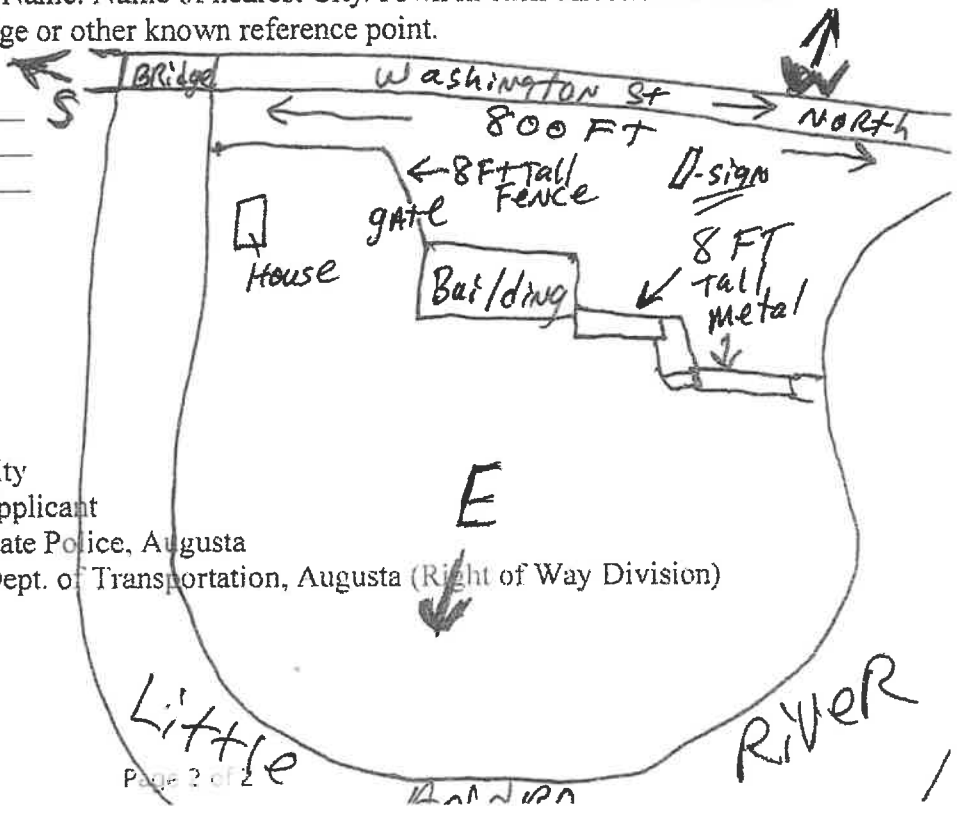
Signed by: Donald H Lunn for: Don's DBA/Morris Auto Parts
Name of Company, Corporation, Partnership or Individual

Address: 940 Washington St. Auburn, ME 04210
P.O. Box # 283, Auburn, ME 04212

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 170
Lot No. 020
Zone

Check correct direction:
- ☐ North
- ☐ East
- ☐ West
- ☐ South



1 copy of application to City
1 copy of application to Applicant
1 copy of application to State Police, Augusta
1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

ORDER 129-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Received
8-24-22
CK# 55935

auburnmaine.gov

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Police - BS 8/24/22
Fire - DO 9/2/22
Code - KB 8/25/22 EC 9/2
Tax - TN 8/25/22

✓ FOR 2022??

CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

****

To the **City of Auburn**, County of **Androscoggin, Maine:**

I/We RANDY'S AUTO PARTS hereby Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
   899 BROAD STREET AUBURN ME 04210

2. Is this application made by or for a company, partnership, corporation or individual:
   RONALD & ERNEST LEVASSEUR

3. Is this property leased? NO Property owned by: RON & ERNEST LEVASSEUR
   Address: 899 BROAD ST
   Phone number: 7829589

4. How is "yard" screened?
   - ☑ Fence (type) Wood Height: 6'
   - ☑ Trees (type) FIR
   - ☐ Embankment: _____
   - ☐ Gully: _____
   - ☐ Hill: _____
   - ☐ Other: _____

5. How far is edge of "yard" from center of highway?
   300 feet

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

6. Can junk be seen from any part of highway? Yes____ No✓

7. Were Junkyard Law, Requirements and Fees explained to you? Yes✓ No____

8. Is any portion of this "yard" on public property? Yes____ No✓

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes____ No✓

10. When was "yard" established? 1980 By whom? Twin Town Rendering

11. When was last permit issued? 2021 By whom? Randy's Auto Parts

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Ronald Lyons for: Randy's Auto Parts Inc.
Name of Company, Corporation, Partnership or Individual

Address: P.O. Box 1243 - 899 Broad Street Auburn, ME 04211

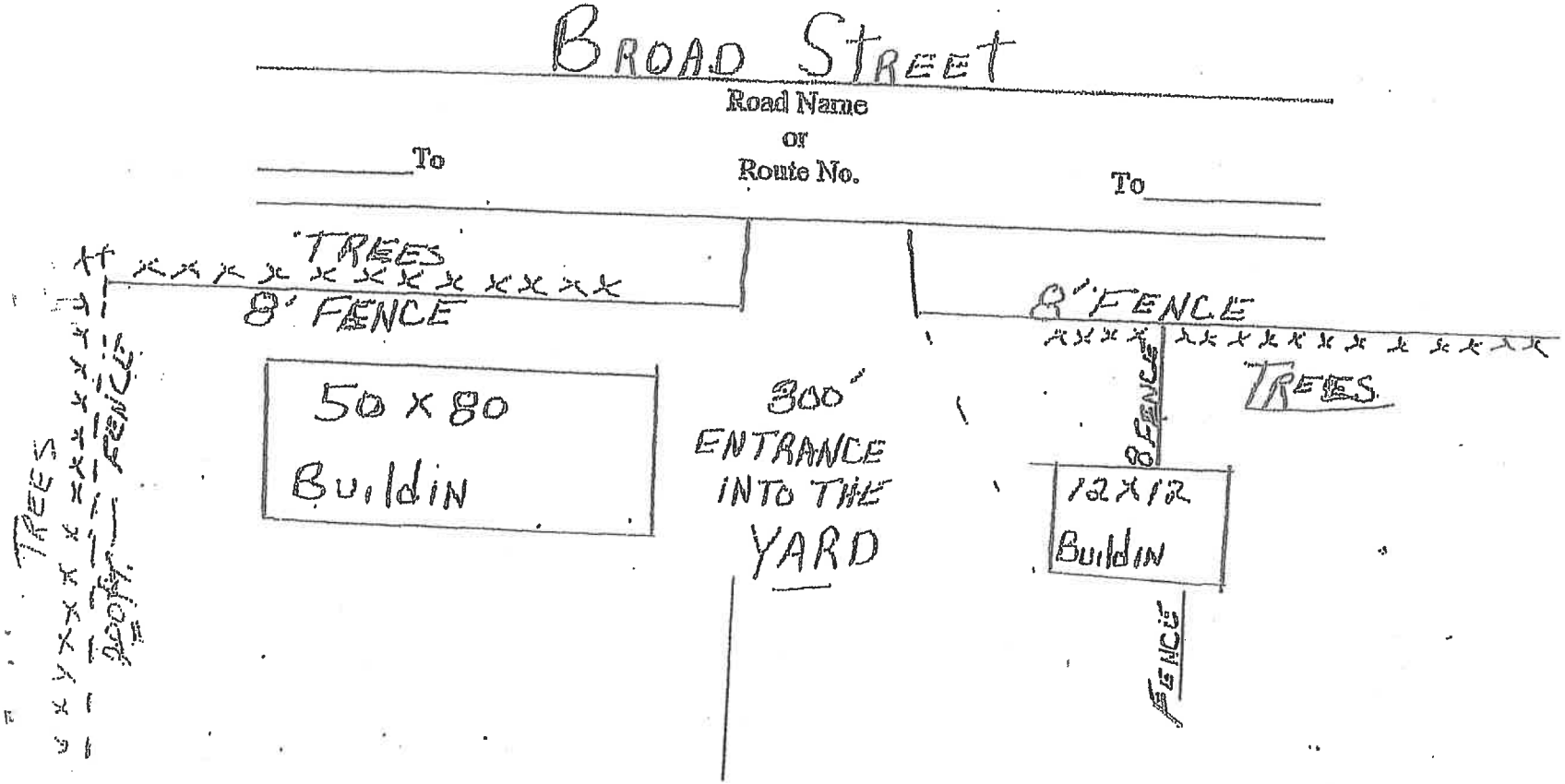
Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 182-001
Lot No.
Zone

Check correct direction:

- ☐ North
- ☐ East
- ☐ West
- ☒ South

1 copy of application to City
1 copy of application to Applicant
1 copy of application to State Police, Augusta
1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)


BROAD STREET
Road Name
or
Route No.
To
To
TREES
8' FENCE
8' FENCE
TREES
TREES
8' FENCE
50 x 80
Buildin
300'
ENTRANCE
INTO THE
YARD
8' FENCE
12 x 12
Buildin
FENCE

ORDER 130-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Randy's Auto Parts, Inc., 899 Broad Street.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Received 9-2-2022
CK 43263

Police - BS 9/2/22
Fire - DO 9/2/22
Code - EC 9/2/22
Tax - KE 9/2/22

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

CITY OF AUBURN
AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

****

To the **City of Auburn**, County of **Androscoggin, Maine:**

I/We MtP Used Auto Parts / Albert Bazinet Sr hereby Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A MRSA Sections 3751-3760.

All questions must be answered in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
   227 Merrow Rd.
   Auburn, ME 04210

2. Is this application made by or for a company, partnership, corporation or individual:
   Corporation

3. Is this property leased? No Property owned by: Albert Bazinet Sr
   Address: 81 Dawes Ave. Auburn, ME 04210
   Phone number: 207-212-0217 or 207 786-3030

4. How is "yard" screened?
   - ☒ Fence (type) / Height: 8'
   - ☐ Trees (type)
   - ☐ Embankment:
   - ☐ Gully:
   - ☐ Hill:
   - ☐ Other:

5. How far is edge of "yard" from center of highway?
   400 ft

City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

6. Can junk be seen from any part of highway? Yes____ No X

7. Were Junkyard Law, Requirements and Fees explained to you? Yes X No____

8. Is any portion of this "yard" on public property? Yes____ No X

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes____ No X

10. When was "yard" established? 1978 By whom? Albert Bazinet Sr

11. When was last permit issued? 2021 By whom? Mtp used Auto parts

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Claudette Bazinet for: Mtp Used Auto parts Inc.
Name of Company, Corporation, Partnership or Individual

Address: 227 Merrow Rd. Auburn, ME 04210

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 186
Lot No. 013
Zone_____

Check correct direction:

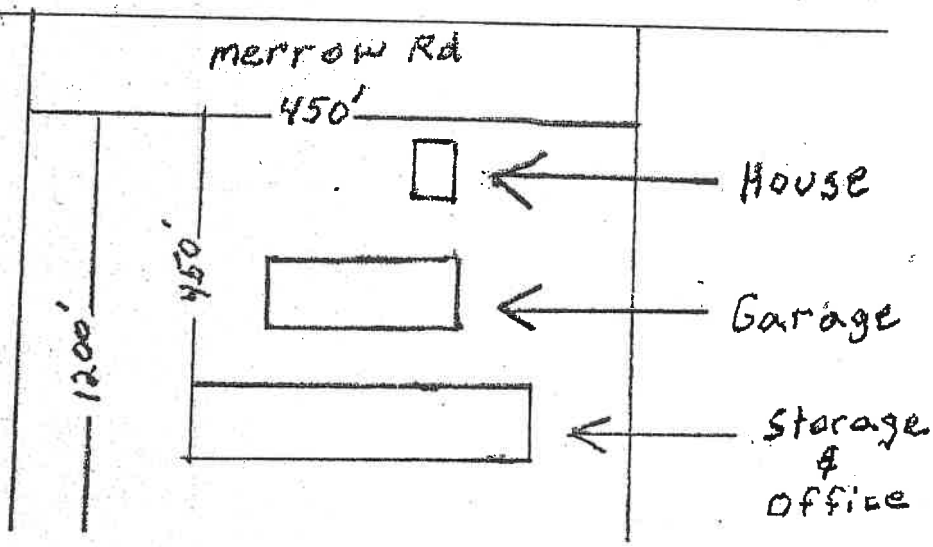
- ☐ North
- ☐ East
- ☐ West
- ☐ South

1 copy of application to City
1 copy of application to Applicant
1 copy of application to State Police, Augusta
1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

Road Name
or
Route No. .

Hotel Rd. To

To Minot Ave



ORDER 131-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for M & P Auto, Inc., 227 Merrow Road.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Mayor Levesque called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and
II. considered in its normal sequence on the agenda

1. Order 124-09062022*
Confirming Chief Moen's appointment of Corey David as Constable with firearm for the Auburn Police Department.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the one consent item.

Passage 7-0.

III. Minutes – August 15, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Milks to approve the minutes of the August 15, 2022, Regular Council Meeting.

Passage 7-0.

IV. Communications, Presentations and Recognitions

- Landon Cougle was recognized for being selected as a Page for the US Senate.
- The Spirit of America Award was awarded to the late Jimbo Marston for his contribution to the community. His wife and family were there to accept the award.
- Councilor Walker provided an update on the Potato Give-Away on behalf of the Age Friendly Community Committee.
- The Mayor provided a communication on the Mayor's Ad-hoc Committee to Develop Permit Ready Housing Plans.
- Council Communications (about and to the community)

Mayor Levesque reminded everyone about the Blues and Brews Festival to be held on September 10th.

Councilor Staples reported that the Androscoggin Land Trust will be holding their 13th annual Androscoggin River clean up from 9am until noon on September 10th.

Councilor Walker reported that the United New Auburn Association met on August 30th at Rolly's diner. The City Manager was the guest speaker. Councilor Walker commended City Manager Crowell stating that "Phil Crowell is one heck of a speaker". He also added that the Age Friendly Community Committee will be meeting at Senior Center on September 13th at 6:00 pm. All are welcome.

Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be $200. He has asked Councilor Hawes to co-sponsor an ordinance that they will try to present at the next City Council meeting regarding waiving that fee.

City Manager Crowell – provided a work force update and some of the challenges we are facing. We currently have approximately 30 vacancies with the majority being Police, Fire, and the Public Works Departments. These shortages unfortunately impact our services. We are working on it and numerous initiatives to try to resolve the issue.

V. Open Session

Stephen Beale, 575 Johnson Road, asked of there would there be an opportunity to comment on the Lake Auburn repeal.

Pam Rousseau, 745 West Auburn Road, stated that when watching meetings on YouTube, it is difficult to hear, and closed captioning isn't available. She would like to see the volume increased and closed captioning available. She also said she wanted to remind everyone is that "Taylor Pond is on the chopping block, also".

Scott Berry, 179 Davis Avenue, spoke in favor of the proposed zoning amendments which he feels will end exclusionary zoning and help to end racial discrimination in the housing market. He provided photos to the Council and also commented on the illumination of business signs and devaluation of homes.

Elizabeth Dunn, 530 Court Street, had a request for a new ordinance to be written making it a requirement for, rather than only encouraging, public meetings to be held if a developer or someone wants to come into a neighborhood with plans for an apartment complex or to develop property.

VI. Unfinished Business - None

VII. New Business

1. Resolve 04-09062022

Accepting the final report from the Public Safety Building Ad-Hoc Committee.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Walker to amend by correcting the date in the second to last paragraph to say August 15th not September 16th as follows:

"WHEREAS, a final report and recommendation was presented to the Auburn City Council on ~~September 16~~ August 15, 2022"

Passage 7-0.

Passage of Resolve 04-09062022 as amended 7-0.

2. **Resolve 05-09062022**
Supporting the Center Street Safety Action Plan Grant Application.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Passage 7-0.

3. **Resolve 06-09062022**
Addressing the current housing shortage in Auburn by seeking an opinion from the Planning Board to consider eliminating income standards and current strip zoning limitations in areas outside of the Lake Auburn Watershed overlay.

Motion was made by Councilor Walker and seconded by Councilor Milks for passage.

Public comment –

Pam Rousseau, 745 West Auburn Road, stated that we need our Ag zone, and she is not in favor of this. She asked how does one demonstrate that any development will not negatively impact the regions primary source of drinking water? She added that she would like them to vote not in favor of this.

Victoria Ballou, 106 Locksley Road, asked if we were working with consultants, and what that may look like and what would the plan be to make a decision.

Jane Costlow, 104 Fourth Street, she spoke of balancing need for housing and protecting the lake and our natural resources and there should be a robust series of conversations with the various committees and the Planning Board. She stated that there was an error in the resolve, in the section referencing the 2018 Crossroads Study regarding the elimination of the income standards. She stated that they did recommend doing away with the income standards, but they also recommended putting in other considerations to make sure that the people building houses were in fact farming.

Bruce Rioux, 85 Mary Carroll Street, said that he didn't have a strong opinion either way, but eliminating the last paragraph of this resolve would make it a much better document.

Motion was made by Councilor Staples and seconded by Councilor Whiting to amend the last paragraph to read:

Therefore, be it resolved that the City Council directs the Planning Board ***after consultation from the Sustainability and Natural Resource Management Board*** *to provide an opinion no later than December 15th, 2022, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.*

Passage 7-0.

Motion was made by Councilor Staples and seconded by Councilor Whiting to amend the deadline from December 15, 2022 to March 20, 2023 and to include language that the recommendations be delivered to the City Council no later than that March 20th deadline, as follows:

Therefore, be it resolved that the City Council directs the Planning Board after consultation from the Sustainability and Natural Resource Management Board to provide an opinion and deliver recommendations to the City Council no later than March 20, 2023 ~~December 15th, 2022~~, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

Passage 6-1 (Councilor Walker opposed).

Passage of Resolve 06-09062022 as amended, 4-3 (Councilor Staples, Gerry, and Whiting opposed).

4. Referred Ordinance 08-03072022

Repealing Ordinance 08-03072022 that was adopted on 3/21/2022 amending the zoning map and adjusting Article XII, Division 4, Sec. 60-751 Lake Auburn Watershed Overlay District Map.

Motion was made by Councilor Milks and seconded by Councilor Hawes for passage.

Public comment –

Stephen Beale, 575 Johnson Road commented on an error in packet where the acreage in the Ordinance did not reflect the amendment that was made when the Ordinance was adopted (changing it from 148 acres to 120 acres). He also stated that he would like to see this referred to the public for a public vote rather than being repealed by the City Council.

Passage 4-3 (Councilors Gerry, Whiting, and Staples opposed).

5. Order 125-09062022

Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public comment –

Jackie Majeris-Collins, 30 Taylor Street, spoke in opposition of this order and would like to see the money spent in other areas, such as homelessness. There is more that can be done if the money is pooled together.

Ryan Smith, 14 Weaver Street, said he is not against doing this, but a better solution would be adjusting the taxes on commercial properties.

Dan Herrick, 470 Hatch Road, asked why they don't take the money and reduce the budget instead.

Motion was made by Councilor Walker and seconded by Councilor Gerry to postpone this item until the first meeting of October (October 3, 2022).

Passage 7-0.

6. **Ordinance 20-09062022**
Amending the zoning district T-4.2B. Public hearing and first reading.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public hearing –

John Cleveland, 183 Davis Avenue, said citizens have not had adequate time for public involvement and this item should be tabled until the Planning Board reviews the zoning changes with an opportunity for more public input and then make a recommendation to the City Council.

Ronald Lebel, 31 Coachman Avenue, said that he objects to this proposal and stated his reasons why. A written statement was provided to the City Clerk.

Beth Bell, 86 Nottingham Road, said she is trying to get up to speed on this, adding that she feels that many people are uninformed about this. She said she is opposed to this at this time, she has a lot of concerns about it. She said that she is a real estate agent and is concerned about the values of people's homes and feels like it is too big of an area to make the change.

Pam Rousseau, 745 West Auburn Road, said that she doesn't believe they are able to do this legally based on the City Charter, and this is not a "one size fits all".

Jeffry Harmon, 34 Vista Drive, stated that his issue with the matter before the Council is with the lack of public engagement.

Elizabeth Dunn, 530 Court Street, stated that her concern is that this is very similar to T-4.2 which was repealed. She spoke about the development at 555 Court Street, stating that the buildings tower over the neighborhood.

Ryan Smith, 14 Weaver Street, said that he believes this item is out of order and that this item should be tabled until the next meeting. He noted that many municipalities are waiting to see what happens with LD 2003 before making changes.

Pat Phillips, 17 Sunset Avenue, received a letter stating that her home is within 500 feet of one of the proposed zoning changes and she doesn't really know what that means. She suggested having neighborhood meetings and to make it a community effort.

The Mayor closed the public hearing.

Councilor Milks stated that he does own a piece of property within this area, which could be viewed as a potential conflict.

Motion was made by Councilor Staples and seconded by Councilor Morin to allow Councilor Milks to continue in the debate and voting on this item. Passage 6-0 with Councilor Milks abstaining.

Passage 5-2 (Councilors Whiting and Gerry opposed).

7. **Resolve 07-09062022**

Supporting the creation of an Ad-hoc/Public Infrastructure Committee.

Motion was made by Councilor Morin and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

8. Order 126-09062022
Allocating $225,000 in ARPA (American Rescue Plan Act) funding for Accessory Dwelling Unit Development Program.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Public comment – No one from the public spoke.

Passage 7-0.

VIII. Open Session – No one from the public spoke.

IX. Reports (from sub-committees to Council)

Mayor Levesque reported on the School Committee meeting.

Councilor Morin congratulated the ELHS football team on their win Friday night.

IX. Executive Sessions – None

X. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 10:00 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: September 19, 2022 **Ordinance:** 20-09062022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

Information: The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth. The change creates a new district that carries the urban form of walkable, desirable existing neighborhoods to expanded land area where existing zoning has forced development to meet more suburban standards and limited housing production. The area proposed is limited to land where public water and sewer are available or reasonably available nearby. The proposed changes allow for infill development, creation of new housing units in existing buildings, new development of housing on vacant land and limited neighborhood scale commercial uses.

This proposal will also go to Planning Board for a public hearing and recommendation to Council on September 13, 2022. Second reading with the Council is scheduled for the September 19, 2022 agenda. Both the City Council and Planning Board have created this new district based on feedback from the public while considering the application of the existing T-4.2 district to the same area. In response to public feedback the new district was created to recognize differences between existing T-4.2 districts and the proposed T-4.2B area. Most notable are setback allowances that are flexible to match existing development patterns, the size limitations on commercial uses, a requirement for a residence on the same lot as a commercial use and the additional Special Exception review and Planning Board public process required for considering most commercial uses.

Staff Recommended Action: Consider passage of the second reading of the proposed text and map amendment.

Previous Meetings and History: See Staff Report attached. A public hearing and passage of first reading was on 9/6/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Official Zoning Map dated 7/6/2022, proposed text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district, Planning Board Staff report.

JENSEN BAIRD
ATTORNEYS AT LAW

M E M O R A N D U M

TO: Evan Cyr, Planning Board Chair

CC: Eric Cousens, Director of Planning and Permitting

FROM: Sally J. Daggett, Esq.

RE: Planning Board Public Hearing Process re Zoning Ordinance Amendments

DATE: September 8, 2022

I am writing in response to your inquiry regarding the Planning Board public hearing process related to Zoning Ordinance amendments. Specifically, you have inquired whether it is legally permissible for the City Council to conduct its first reading on proposed Zoning Ordinance amendments in advance of the required Planning Board public hearing. The short answer is yes.

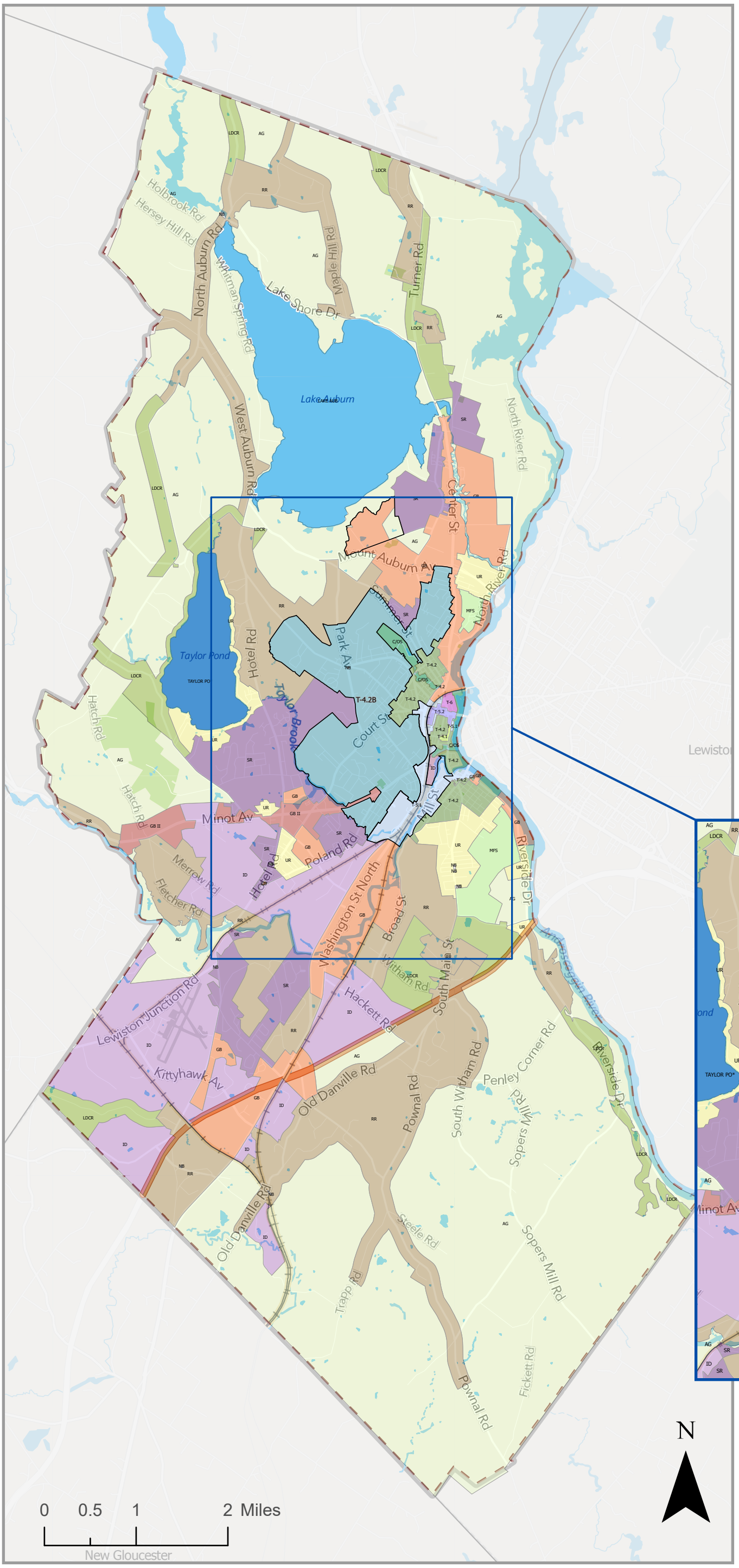
State statute requires that the Planning Board conduct a public hearing on the adoption or amendment of the Zoning Ordinance, with certain notices provided in advance of the public hearing, including a public hearing notice posted at City Hall at least 13 days before the public hearing and publication of notice of the public hearing in a newspaper of general circulation at least 12 days and again at least 7 days in advance of the public hearing. 30-A M.R.S. § 4351(9). Section 60-1474 of the City's Zoning Ordinance contains similar notice provisions (and adds a local requirement of notice to abutters in Sec. 60-1475). Under Sec. 60-1496 of the Zoning Ordinance, the Planning Board must "within 30 days of the conclusion of the [Planning Board] public hearing, report in writing the results of the hearing and recommendations of the board on the amendment to the city council."

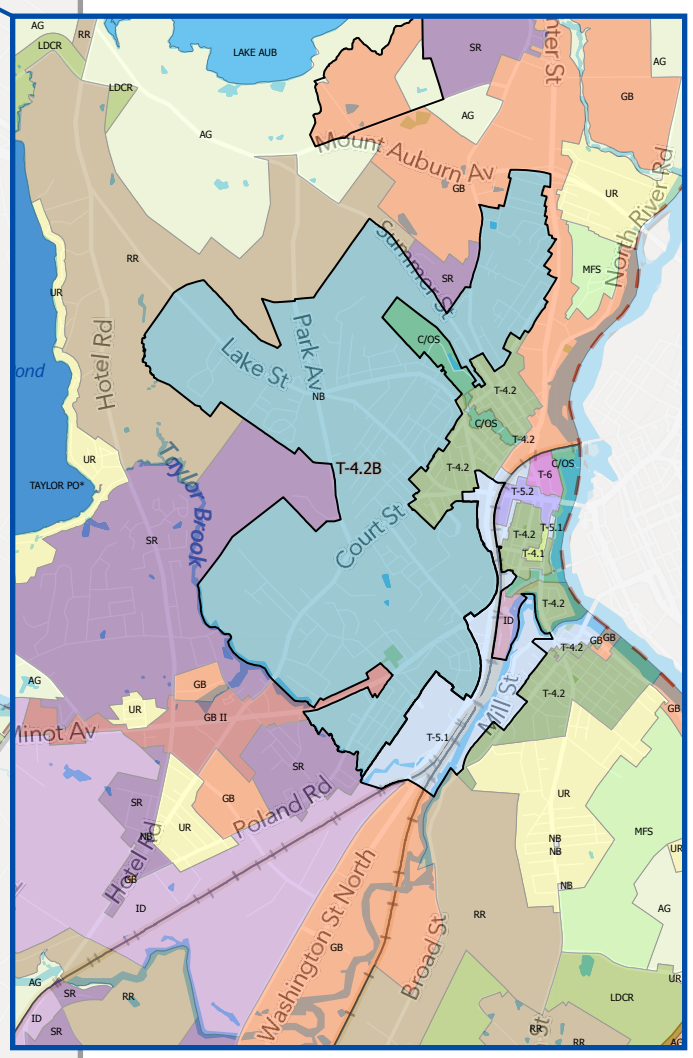
There is nothing in State statute, the City Charter or the Zoning Ordinance that dictates the timing of the Planning Board public hearing in relationship to the City Council's first reading of proposed Zoning Ordinance amendments. Some municipalities with the Council-Manager form of government prefer to conduct Council first reading before the Planning Board public hearing to enable Council input on the version of the amendments that will be considered and reported on by the Planning Board. Other municipalities with the Council-Manager form of government prefer to have the Planning Board conduct its public hearing before Council first reading. In some municipalities, the timing of the Planning Board public hearing in relationship to the City Council's first reading of proposed Zoning Ordinance amendments varies from time

to time (*i.e.*, sometimes before first reading and sometimes after first reading) depending on the complexity of the subject matter of the amendments.

As relates to the proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B District, it is my understanding that the Planning Board specially requested at its June 21, 2022 meeting that its recommendation on the T-4.2B amendments be delayed until after the City Council determined what version of the amendments the Council wanted to bring forward for final action. Such an approach whereby the City Council conducts its first reading in advance of the Planning Board public hearing is legally permissible under State and local law.

Proposed Official Zoning Map





Legend

- AG - Agriculture and Resource Protection
- C/OS - Conservation / Open Space
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LAKE AUB
- LDCR - Low Density Country Residential
- LAKE AUB
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- TAYLOR PO*
- UR - Urban Residential
- Proposed T-4.2B

This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zoning Text and Map Amendment Public Hearing
Date: August 30, 2022

PROPOSAL: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

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STAFF RECOMMENDATIONS

Hold a public hearing on creation of new Form-Based Code zoning district, T-4.2B and the application of the same new zone, T-4.2B to the Court Street area. The Board should review these as a single agenda item and forward a recommendation to Council.

Previous meetings concerning the creation of application of T-4.2B:

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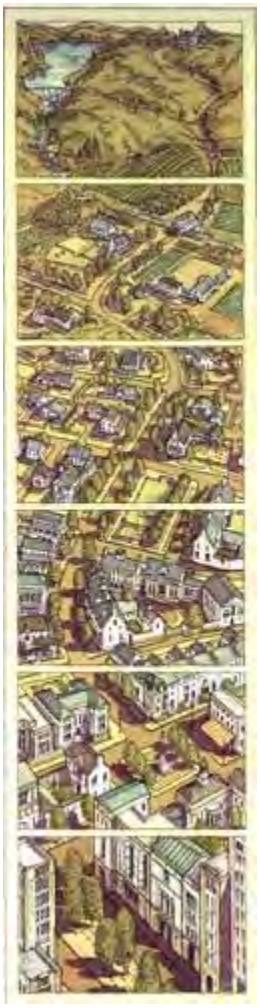
- February 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 21, 2022, city council meeting: T-4.2 Court Street
- March 28, 2022, city council meeting: T-4.2B Court Street planning board directive
- April 14, 2022, planning board meeting workshop: T-4.2B areas A-D

- June 18, 2022, city council meeting- T-4.2B creation
- June 27, 2022, city council meeting- Court Street amendment workshop
- July 12, 2022, community conversation: zoning in Auburn
- July 18, 2022, city council meeting: T-4.2B first reading
- August 1, 2022, city council meeting- T-4.2B Court Street planning board directive and repeal 4.2 Court Street
- August 15, 2022, city council meeting: postpone T-4.2B Court Street
  Update original dates from first approval

[1]FORM-BASED CODE The Form Based Code Institute defines a form-based code as "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."[2]The purpose of implementing form-based code is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. Form-based code regulates the physical form of the built environment using transects, which are the standardized categories that describe the range or continuum of development types; from T-1 Natural Areas to T-6 Urban Core or City Center with an additional category designated for other uses. Form-based code offers an alternative to traditional zoning laws which separate where we live from where we work, learn, shop, play, and gather. By strictly regulating the setbacks and types of housing, units are built further apart resulting in greater reliance on roads. As an alternative, form-based code promotes walkability by reducing the separation between private and public realms of life. Auburn's form-based code proposes five types of form-based code districts, T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6. These districts range from least urban to most urban. T-4.2B is characterized as the Traditional Neighborhood Development District or General Urban Zone.



TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Description- The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks (Sec. 60.549).

[1] "American Transect," Duany Plater-Zyberk & Company / James Wassell
[2] https://formbasedcodes.org/definition/

Objective – Allow for the development of a wide range of residential and community uses at a density of up to what is allowed by the form of the lot with an estimation of 16 units per acre, but not specified because of the variability of the lots form, as specified in the Comprehensive Plan in areas that are served or can be served by public sewer and water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- *Low and High-Density Residential Dwellings*
- *Home Occupations*
- *Plant/Crop-Based Agriculture*
- *Community Services and Government Uses*
- *Small Offices and Mixed-Use Buildings*
- *Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).*

[3]Development Standards – Residential uses should be allowed at a density of the existing form of the lot with no minimum road frontage required, shared driveways are encouraged, the front setback should be 25 feet max with the consideration that no front yard needs to be any less than the average depth of front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the adjacent lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

T-4.2B is a new zone distinct from T-4.1, T-4.2, T-5.1, T-5.2, and T-6. The attached text, Division 14. Form Based Code, shows the text of the T-4.2 B. The document represents the text of proposed new zone, T-4.2 B. The red sections mark the differences between T-4.2 and T-4.2B. The transects in Auburn are ordered from least to most urban. Form allows multifamily housing in this area capped at 3.5 stories with an attic. Parcel size determines form and therefore number of units. The most prominent differences between T-4.2 andT-4.2B is the size and type of businesses that will be permitted. Office, service, and retail uses limited to 1500 sq ft with a residential unit on the same parcel. Age-restricted retail stores (marijuana stores or dispensaries) are not allowed in T-4.2B. Restaurants with over 30 seats will not be permitted nor will drive-through restaurants.

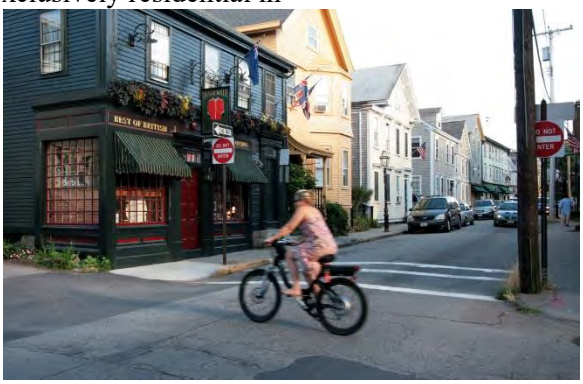
THE PURPOSE BEHIND APPLYING NEW ZONING TO AUBURN'S CITY CORE

1. The proposed zone change will **increase housing opportunity** for more people by lowering barriers to finding housing. Auburn's housing supply is limited and is not increasing fast enough to accommodate both current residents and those who want to call Auburn home. Housing scarcity drives up prices and increasing the supply of housing will lower the cost overtime.

[3] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien

2. [4]The proposed zoning will **allow a wider variety of housing**. Offering choice in housing to residents will allow more residents the freedom to live as they want and not pay more than they can afford. Financial institutions recommend not spending more than 28% of household gross income on housing. Single family homes are outside of the price range and may not meet the lifestyle needs of many people, especially young adults, young families, empty nesters, elderly residents and many in between. The current zoning essentially renders housing that is not single-family or two-family illegal effectively barring those who cannot afford the high price of a single-family home to live with their neighbors. Allowing mixed use housing gives residents of all backgrounds and financial capacities options and promotes community be allowing neighbors to live close to and among each other.

3. [5]Current traditional zoning laws tend to separate where we live from where we work, learn, and shop and force us to center roads over all other aspects of city design. These roads, as they are today, are dangerous to pedestrians and cyclists. We have an over-reliance on cars and Auburn's form-based code is meant to provide an alternative. T-4.2B **encourages walkability** by allowing uses that are not exclusively residential in moderately dense urban environments. There will not be walkability if there is nowhere to walk to. Encouraging infill and small business growth encourages walkability by giving folks spaces to walk to. Suburban sprawl as it exists limits transportation to folks who have a car and assumes that there will be little to no walking. It champions cars and roads over people and centralized communities.



FREQUENTLY ASKED QUESTIONS

How would T-4.2B affect my neighborhood?

Building by form as regulated in T-4.2B will differ based on where you live and the existing neighborhood form. Most city lots are small and already built on, likely limiting additional development to infill housing opportunities and freedom for property owners to add additional units or make improvements to existing homes. The map shows the size of parcels in the urban core area. The map shows that 54.6% of parcels cannot support over four units and 79.4% of parcels cannot support over eight units.

[4] Marblehead Massachusetts. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

[5] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

The larger open areas, five-plus acres in the example, have a form that could support higher development intensity. Of the 571.85 acres on parcels with over five acres in what is proposed to be T-4.2B, only 391.71 acres of the area could be considered for further development (26.6%) because of schools, existing condos, and parks.

[6]The traffic in Auburn is already much too fast and congested. Would higher density in the city core make the traffic worse? Adding more housing, though may add more vehicles to the road in the short term, will allow the city to find projects to improve current road conditions, and invest in improving circulation patterns throughout the city. Increasing density will also make Auburn a more viable location to extend local public transit and especially commuter transportation to and from nearby metro areas like Boston, Portland, and more. Form-based code encourages and supports safe pedestrian traffic, over time also decreasing the heavy reliance on vehicles.

More units will mean more kids who need education. Will T-4.2B make this worse for already strained educators?

Applying form-based code could improve the state of Auburn's schools. Over the past several years, students enrolled in Auburn public schools have been stagnant and falling. Fairview can absorb another 100 students, Walton can absorb another 150, and East Auburn is close to capacity but could absorb about 20 more students. Altogether, the district could absorb up to 500-600 more students.

A reliable marker for determining enrollment trends in schools is the rate of preschool enrollment. Superintendent, Dr. Connie Brown, noted that preschool enrollment has been decreasing over the past several years resulting in needing to close Walton Preschool and reducing the hours of East Auburn preschool. She noted that there are other schools that may need to close if they cannot increase enrollment.

The school district can, and in some cases will need to absorb more students, though it is also struggling with attracting and retaining teachers. The recommended monthly house payment is 28% of a person's income. The entry level pay for a teacher is $42,000, a firefighter starting wage is $45,000 plus average OT is $10,000 for a total of $55,000, and a police officer with OT is $65,000. The average price of an existing, entry level home is $267,500 and the average cost of a new entry level home is $318,000. Based on the 28% recommendation, a person would need to make $87,450.00. / year to afford an existing entry level home, and 104,6000.000/year to afford a new entry-level home. People working the above noted jobs, which are critical to some of the most important city services could not afford to build or purchase a home in the city that they work in. A teacher and fireperson living together still could not afford a single-family home in the city where they work. Dr. Brown stated that her number-one reason for teacher resignations is that they found another job closer to where they live. Housing options need to reflect different families and individuals' lifestyles and incomes.

How might new zoning affect the housing crisis?

[6] T4 Rendering of Spring Street

In his article, "3 Zoning changes that Make Residential Neighborhoods More Affordable", Founder and Director of the Urban Sustainability Accelerator and Institute for Sustainable Solutions at Portland State University, Robert Liberty, identified eliminating single-family-residential-only zoning as an important factor to make residential neighborhoods more affordable. Multifamily housing is outlawed in about 75% of the country which poses a significant barrier for low to middle income residents by reinforcing housing segregation and increasing reliance on cars.[7]

Form-based code allows mixed uses and businesses among homes. What does this mean? What can I expect?

T-4.2B will allow uses other than single family including businesses with a residential unit on the same parcel. Businesses shall not be over 1,500 square feet. Drive-through restaurants are not allowed in T-4.2B and cannabis shops are also prohibited- a change from the first T-4.2 zone. There are some businesses that will be prohibited and most will require Special Exception Approval from the planning board depending on the size and type.

ADDITIONAL READING

The list below includes information about the proposed planning methods and provides case studies of towns and cities which have already applied form-based code.

Center for Applied Transect Studies

The Organization | CNU

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

Market — Missing Middle Housing

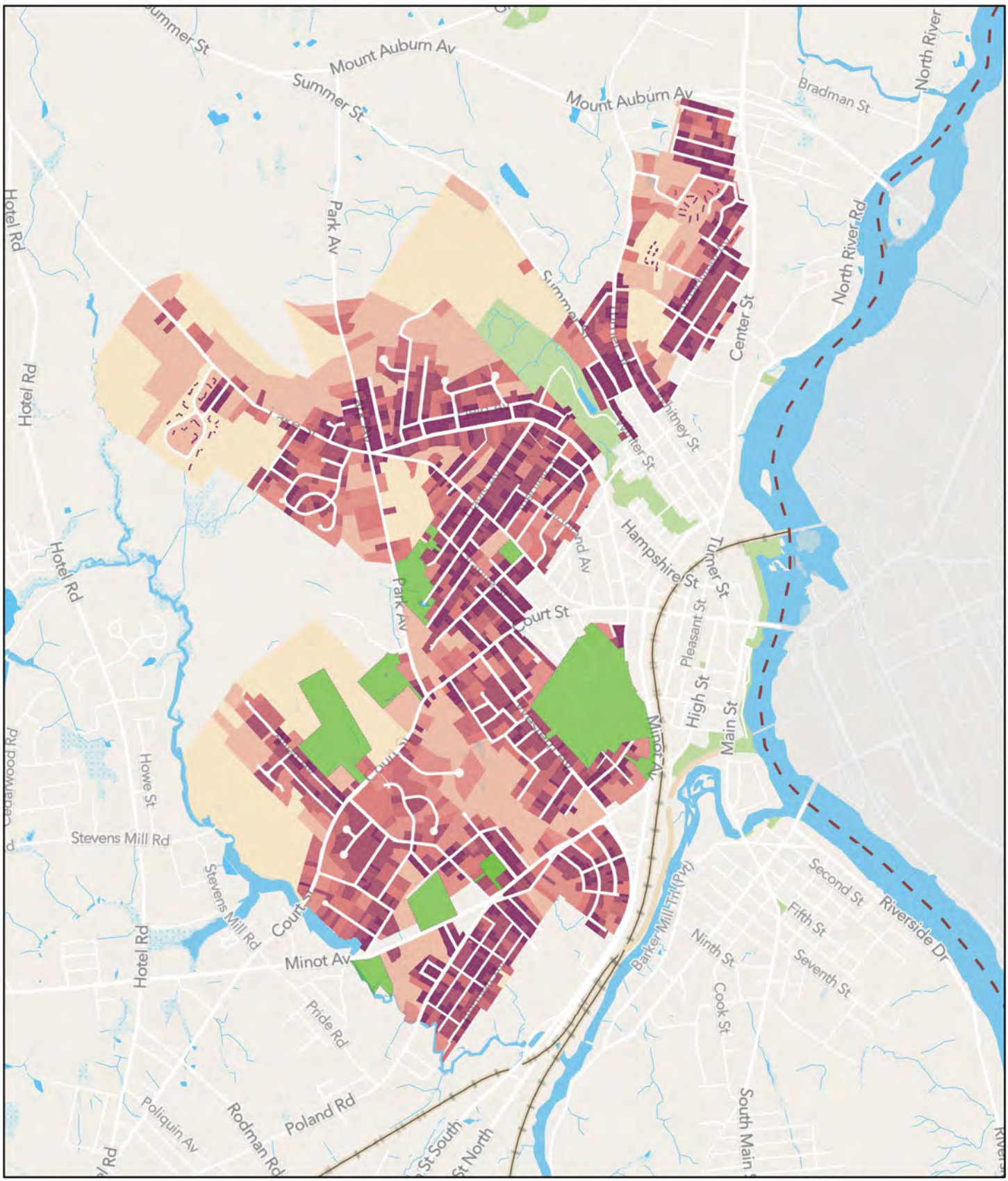
How to Enable MMH — Missing Middle Housing

How Minneapolis became the first to end single-family zoning | PBS News Weekend

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

[7] https://www.planning.org/planning/2021/winter/3-zoning-changes-that-make-residential-neighborhoods-more-affordable/

Court St By Acreage



8/15/2022

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0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

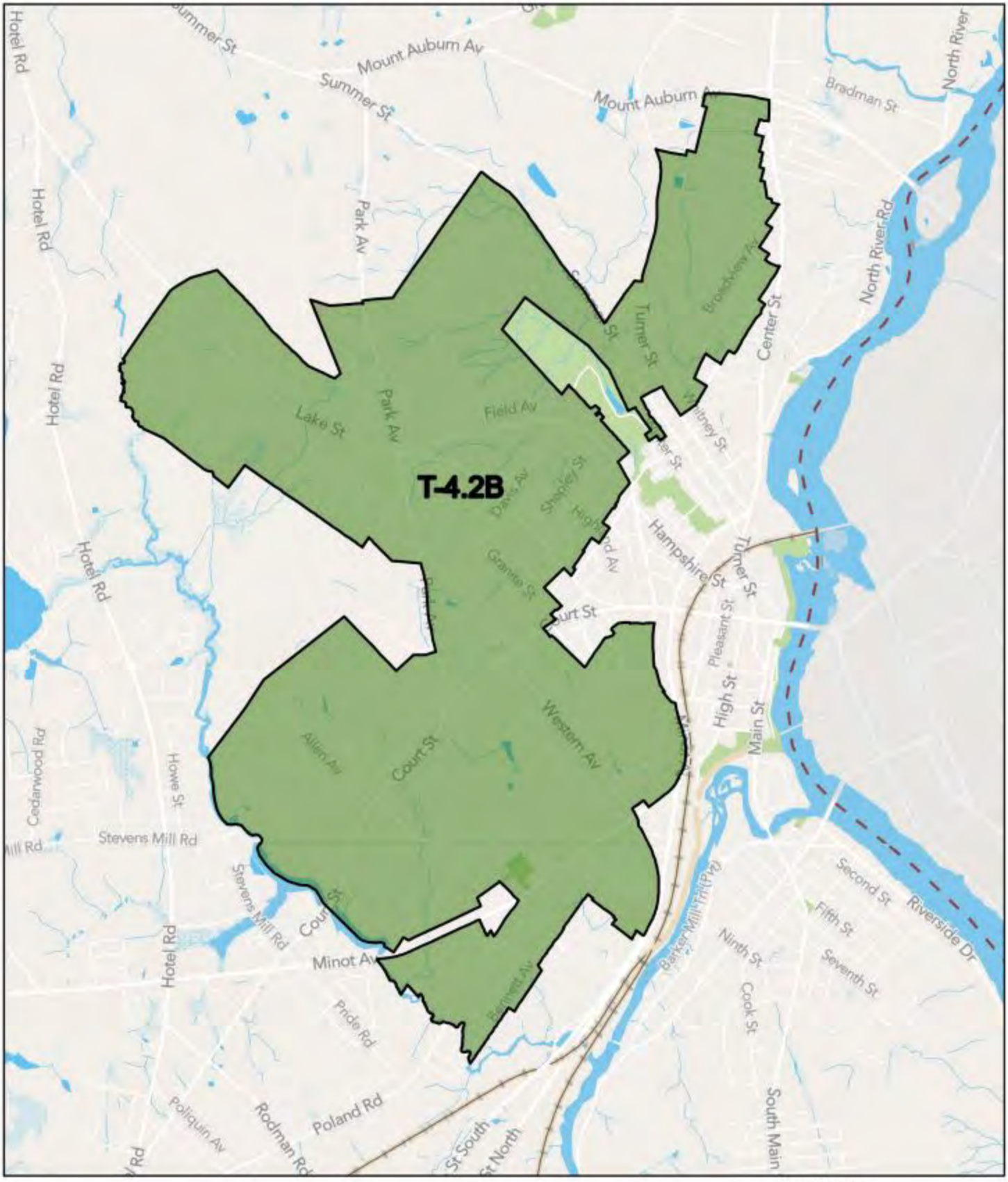
City / Recreation Land

Court St Area

- 0 – 0.25
- > 0.25 – 0.5
- > 0.5 – 0.75
- > 0.75 – 1
- > 1 – 2
- > 2 – 10
- > 10 – 121

Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Court St Area T-4.2B



8/12/2022

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LEGAL NOTICE
CITY OF AUBURN

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAP TO CREATE A NEW TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B DISTRICT

Notice is hereby given that the Auburn Planning Board will hold a Public Hearing on **Tuesday, September 13, 2022 at 6:00** p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine to consider proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B zoning district as follows:

PUBLIC HEARING: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district. The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on a sketch map available in the Planning & Permitting Department. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also available in the Planning & Permitting Department. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update. The map and text showing the proposed changes is available at [illegible] government/planning-board-agendas under the September 13, 2022 Agenda link and in-person at the City of Auburn Planning & Permitting Office, 60 Court Street, Auburn, Maine during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

The Planning Board will, after the close of the public hearing, make a recommendation to the Auburn City Council regarding the proposed amendments. The City Council is expected to conduct First Reading and its own Public Hearing on the proposed amendments on Tuesday, September 6, 2022 at 7:00 p.m. and a Second Reading on Monday, September 19, 2022 at 7 p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine.

Additional information is available and may be obtained from the Auburn Planning & Permitting Department by contacting Katherine Cook at (207) 333-6601 ext. 1155 or [illegible] or John Blais at (207) 333-6601 ext. 1334 or [illegible]

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City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

Motion: Brian Dubois; Second: Stacey Leblanc

Motion that we forward a recommendation to the city council to adopt the zoning text and map amendments to create the traditional neighborhood form-based code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street residential core area of the city within the new zoning district as proposed and presented within the staff report presented at the September 13th 2022 meeting of the planning board.

Motion passes 5-2-0

The Planning Board adopted the findings of the 6staff reports, attached.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zoning Text and Map Amendment Public Hearing
Date: August 30, 2022

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- March 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 21, 2022, city council meeting: T-4.2 Court Street
- March 28, 2022, city council meeting: T-4.2B Court Street planning board directive
- April 14, 2022, planning board meeting workshop: T-4.2B areas A-D

- June 18, 2022, city council meeting- T-4.2B creation
- June 27, 2022, city council meeting- Court Street amendment workshop
- July 12, 2022, community conversation: zoning in Auburn
- July 18, 2022, city council meeting: T-4.2B first reading
- August 1, 2022, city council meeting- T-4.2B Court Street planning board directive and repeal 4.2 Court Street
- August 15, 2022, city council meeting: postpone T-4.2B Court Street
  Update original dates from first approval

[1]FORM-BASED CODE The Form Based Code Institute defines a form-based code as "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."[2]The purpose of implementing form-based code is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. Form-based code regulates the physical form of the built environment using transects, which are the standardized categories that describe the range or continuum of development types; from T-1 Natural Areas to T-6 Urban Core or City Center with an additional category designated for other uses. Form-based code offers an alternative to traditional zoning laws which separate where we live from where we work, learn, shop, play, and gather. By strictly regulating the setbacks and types of housing, units are built further apart resulting in greater reliance on roads. As an alternative, form-based code promotes walkability by reducing the separation between private and public realms of life. Auburn's form-based code proposes five types of form-based code districts, T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6. These districts range from least urban to most urban. T-4.2B is characterized as the Traditional Neighborhood Development District or General Urban Zone.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Description- The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum

[1] "American Transect," Duany Plater-Zyberk & Company / James Wassell
[2] https://formbasedcodes.org/definition/

and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks (Sec. 60.549).
Objective – Allow for the development of a wide range of residential and community uses at a density of up to what is allowed by the form of the lot with an estimation of 16 units per acre, but not specified because of the variability of the lots form, as specified in the Comprehensive Plan in areas that are served or can be served by public sewer and water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.
Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- *Low and High-Density Residential Dwellings*
- *Home Occupations*
- *Plant/Crop-Based Agriculture*
- *Community Services and Government Uses*
- *Small Offices and Mixed-Use Buildings*
- *Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).*

[3]Development Standards – Residential uses should be allowed at a density of the existing form of the lot with no minimum road frontage required, shared driveways are encouraged, the front setback should be 25 feet max with the consideration that no front yard needs to be any less than the average depth of front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the adjacent lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

T-4.2B is a new zone distinct from T-4.1, T-4.2, T-5.1, T-5.2, and T-6. The attached text, Division 14. Form Based Code, shows the text of the T-4.2 B. The document represents the text of proposed new zone, T-4.2 B. The red sections mark the differences between T-4.2 and T-4.2B. The transects in Auburn are ordered from least to most urban. Form allows multifamily housing in this area capped at 3.5 stories with an attic. Parcel size determines form and therefore number of units. The most prominent differences between T-4.2 andT-4.2B is the size and type of businesses that will be permitted. Office, service, and retail uses limited to 1500 sq ft with a residential unit on the same parcel. Age-restricted retail stores (marijuana stores or dispensaries) are not allowed in T-4.2B. Restaurants with over 30 seats will not be permitted nor will drive-through restaurants.

THE PURPOSE BEHIND APPLYING NEW ZONING TO AUBURN'S CITY CORE

1. The proposed zone change will **increase housing opportunity** for more people by lowering barriers to finding housing. Auburn's housing supply is limited and is not increasing fast enough to accommodate both current residents and those who want to call

[3] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien

Auburn home. Housing scarcity drives up prices and increasing the supply of housing will lower the cost overtime.

2. [4]The proposed zoning will **allow a wider variety of housing**. Offering choice in housing to residents will allow more residents the freedom to live as they want and not pay more than they can afford. Financial institutions recommend not spending more than 28% of household gross income on housing. Single family homes are outside of the price range and may not meet the lifestyle needs of many people, especially young adults, young families, empty nesters, elderly residents and many in between. The current zoning essentially renders housing that is not single-family or two-family illegal effectively barring those who cannot afford the high price of a single-family home to live with their neighbors. Allowing mixed use housing gives residents of all backgrounds and financial capacities options and promotes community be allowing neighbors to live close to and among each other.

3. [5]Current traditional zoning laws tend to separate where we live from where we work, learn, and shop and force us to center roads over all other aspects of city design. These roads, as they are today, are dangerous to pedestrians and cyclists. We have an over-reliance on cars and Auburn's form-based code is meant to provide an alternative. T-4.2B **encourages walkability** by allowing uses that are not exclusively residential in moderately dense urban environments. There will not be walkability if there is nowhere to walk to. Encouraging infill and small business growth encourages walkability by giving folks spaces to walk to. Suburban sprawl as it exists limits transportation to folks who have a car and assumes that there will be little to no walking. It champions cars and roads over people and centralized communities.

FREQUENTLY ASKED QUESTIONS

How would T-4.2B affect my neighborhood?

Building by form as regulated in T-4.2B will differ based on where you live and the existing neighborhood form. Most city lots are small and already built on, likely limiting additional development to infill housing opportunities and freedom for property owners to add additional units or make improvements to existing homes. The map shows the size of parcels in the urban

[4] Marblehead Massachusetts. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

[5] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien.

core area. The map *(Appendix A)* shows that 54.6% of parcels cannot support over four units and 79.4% of parcels cannot support over eight units.

The larger open areas, five-plus acres in the example, have a form that could support higher development intensity. Of the 571.85 acres on parcels with over five acres in what is proposed to be T-4.2B, only 391.71 acres of the area could be considered for further development (26.6%) because of schools, existing condos, and parks.

[6]The traffic in Auburn is already much too fast and congested. Would higher density in the city core make the traffic worse? Adding more housing, though may add more vehicles to the road in the short term, will allow the city to find projects to improve current road conditions, and invest in improving circulation patterns throughout the city. Increasing density will also make Auburn a more viable location to extend local public transit and especially commuter transportation to and from nearby metro areas like Boston, Portland, and more.

Form-based code encourages and supports safe pedestrian traffic, over time also decreasing the heavy reliance on vehicles.

More units will mean more kids who need education. Will T-4.2B make this worse for already strained educators?

Applying form-based code could improve the state of Auburn's schools. Over the past several years, students enrolled in Auburn public schools have been stagnant and falling. Fairview can absorb another 100 students, Walton can absorb another 150, and East Auburn is close to capacity but could absorb about 20 more students. Altogether, the district could absorb up to 500-600 more students. A reliable marker for determining enrollment trends in schools is the rate of preschool enrollment. Superintendent, Dr. Connie Brown, noted that preschool enrollment has been decreasing over the past several years resulting in needing to close Walton Preschool and reducing the hours of East Auburn preschool. She noted that there are other schools that may need to close if they cannot increase enrollment.

The school district can, and in some cases will need to absorb more students, though it is also struggling with attracting and retaining teachers. The recommended monthly house payment is 28% of a person's income. The entry level pay for a teacher is $42,000, a firefighter starting wage is $45,000 plus average OT is $10,000 for a total of $55,000, and a police officer with OT is $65,000. The average price of an existing, entry level home is $267,500 and the average cost of a new entry level home is $318,000. Based on the 28% recommendation, a person would need to make $87,450.00. / year to afford an existing entry level home, and 104,6000.000/year to afford a new entry-level home. People working the above noted jobs, which are critical to some of the most important city services could not afford to build or purchase a home in the city that they work in. A teacher and fireperson living together still could not afford a single-family home in the city where they work. Dr. Brown stated that her number-one reason for teacher resignations is

[6] T4 Rendering of Spring Street

that they found another job closer to where they live. Housing options need to reflect different families and individuals' lifestyles and incomes.

How might new zoning affect the housing crisis?

In his article, "3 Zoning changes that Make Residential Neighborhoods More Affordable", Founder and Director of the Urban Sustainability Accelerator and Institute for Sustainable Solutions at Portland State University, Robert Liberty, identified eliminating single-family-residential-only zoning as an important factor to make residential neighborhoods more affordable. Multifamily housing is outlawed in about 75% of the country which poses a significant barrier for low to middle income residents by reinforcing housing segregation and increasing reliance on cars.[7]

Form-based code allows mixed uses and businesses among homes. What does this mean? What can I expect?

T-4.2B will allow uses other than single family including businesses with a residential unit on the same parcel. Businesses shall not be over 1,500 square feet. Drive-through restaurants are not allowed in T-4.2B and cannabis shops are also prohibited- a change from the first T-4.2 zone. There are some businesses that will be prohibited, and most will require Special Exception Approval from the planning board depending on the size and type.

ADDITIONAL READING

The list below includes information about the proposed planning methods and provides case studies of towns and cities which have already applied form-based code.

Center for Applied Transect Studies

The Organization | CNU

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

Market — Missing Middle Housing

How to Enable MMH — Missing Middle Housing

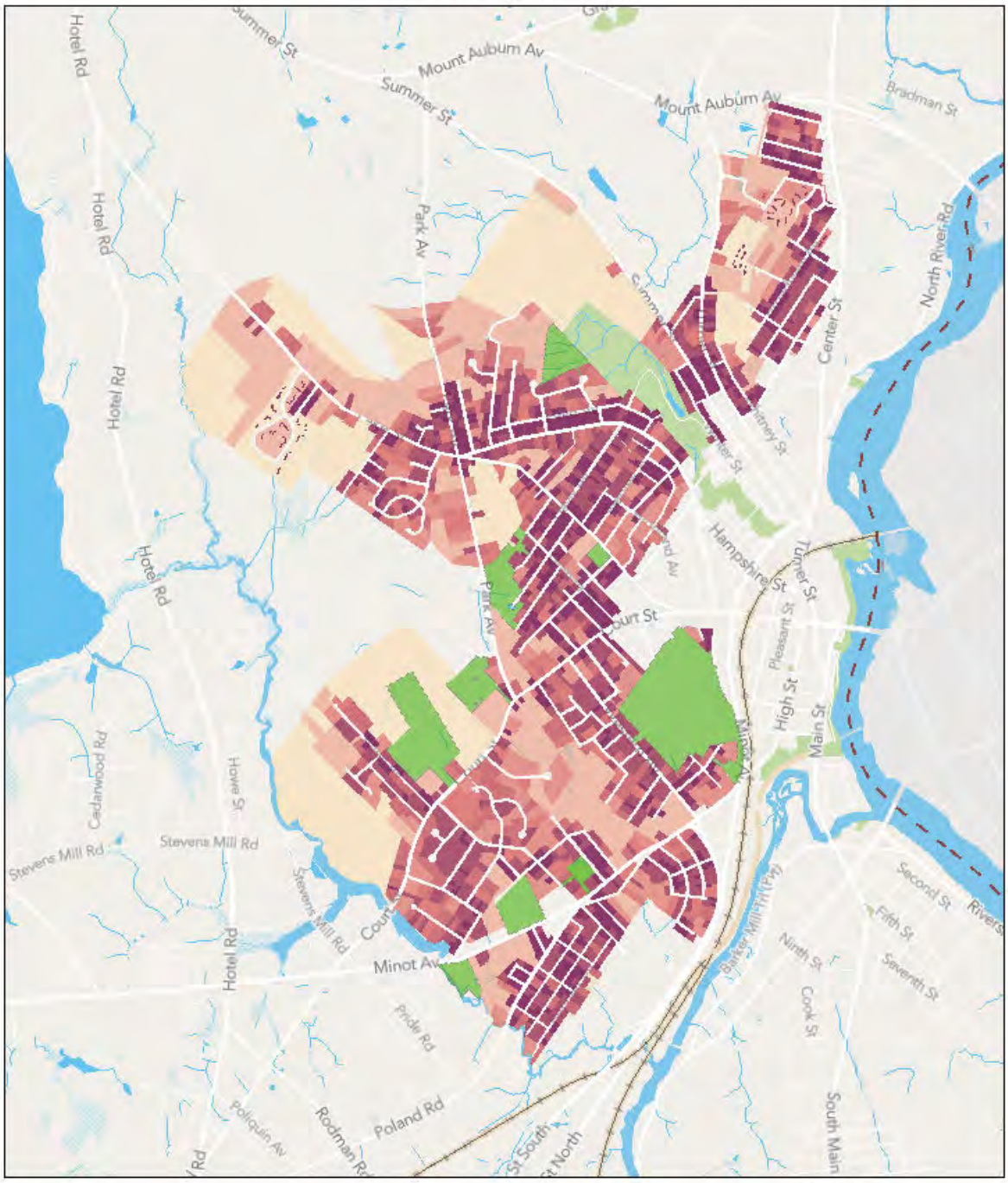
How Minneapolis became the first to end single-family zoning | PBS News Weekend

3 Zoning Changes That Make Residential Neighborhoods More Affordable (planning.org)

[7] https://www.planning.org/planning/2021/winter/3-zoning-changes-that-make-residential-neighborhoods-more-affordable/

Appendix A

Court St By Acreage



City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

DRAFT FOR REVIEW AND FINALIZATION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022 the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

"I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception"

Motion: Evan Cyr; Second: Riley Bergeron

"I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more."

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

---

Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval."

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: **PUBLIC HEARING: Zoning Map Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**)

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing Court Street/Urban Core Area Zoning Considerations from City Council for Zoning Map and Text Amendment.

Date: June 21, 2022

PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

New Proposed Form-Based Code Zone: T-4.2B

Council voted on May 16th, 2022, to ask the Planning Board to review the T-4.2 zone known as Court street area and deliver a recommendation for a T-4.2B zone, based on amendments previously put forward by the Council. They include the following:

- All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
- Residential Facilities allowed with special exception approval from the Planning Board.
- Lodging allowed with special exception approval from the Planning Board.
- Personal Services allowed with special exception approval from the Planning Board.
- Age restricted retail not allowed.
- Restaurants with over 30 seats not allowed.
- Government offices allowed with special exception approval from the Planning Board.
- Parking requirements (public or private) may be provided within 500 feet of the establishment.
- Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
- No drive through businesses allowed.
- Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests a planning board discuss the proposals and hold a Public Hearing on June 21, 2022 on the following items. 1.) Staff recommends that the Board forward a positive recommendation to the Council supporting the proposed changes provided by the City Council, to include the adjusted text to create a new Formed Base Code T-4.2B. 2.) Provide a map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) based on the following findings.

SUGGESTED FINDINGS AND REASONS:

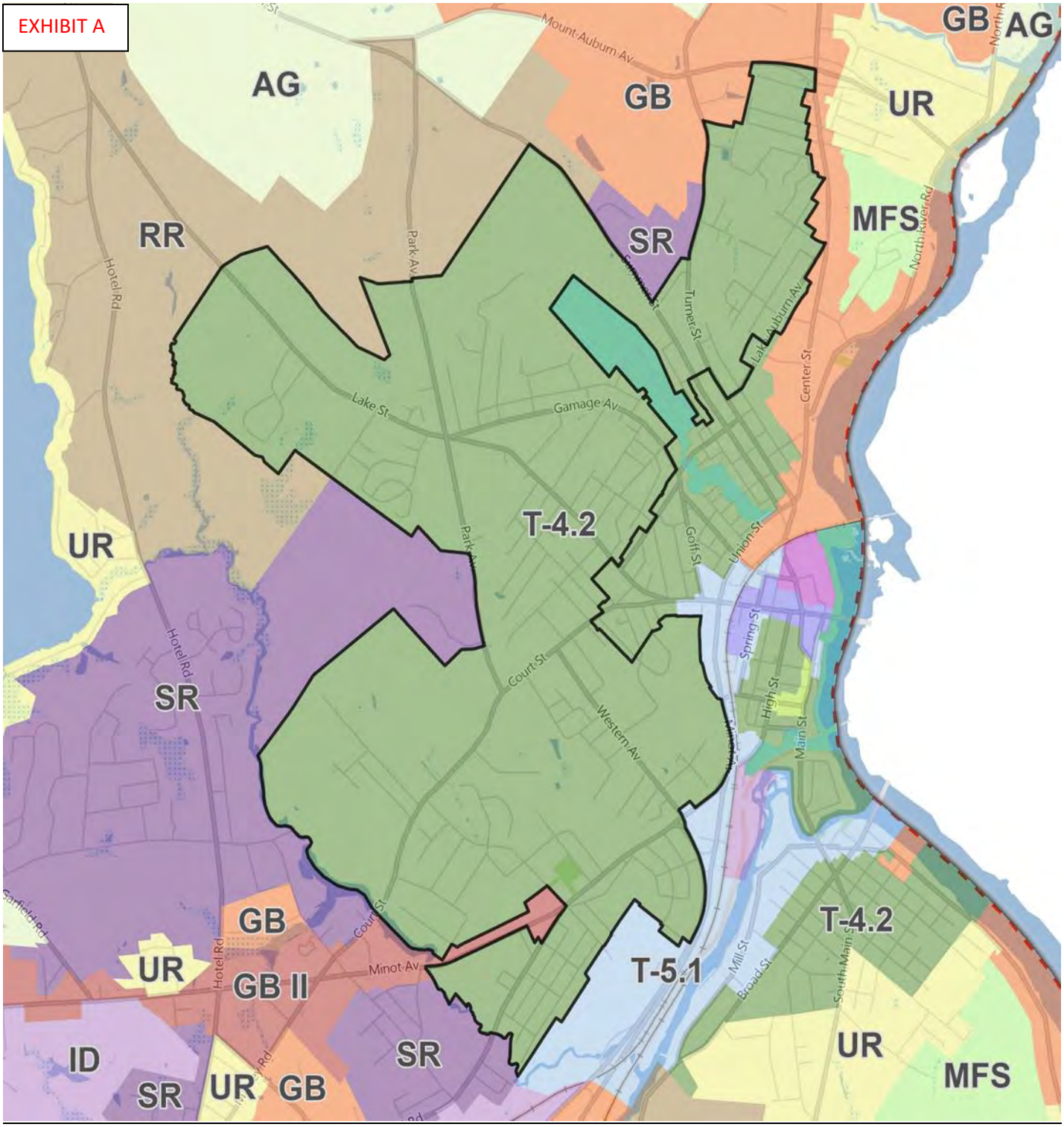
1. The 2010 and now 2020 Comprehensive Plan recommends expanding the Formed Base zoning. This can be accomplished with the creation of a new district by using T-4.2B that conforms to and expands existing development patterns.
2. The distinctions between allowed uses, density and development patterns in the existing T-4.2 areas in place for years and the Court Street/City Core area are significant enough to warrant a new zoning district that can be called T-4.2-B. This will prevent limitation in the urban core where density and mixed use has been allowed by leaving T.4.2 zoning in place in some areas.
3. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (sewer, water, power, high speed internet, gas & roads)
4. The proposal can be implemented without detriment to city resources.
5. Assure that the City's zoning and land use regulations allow for private investments to improve property in these neighborhoods.
6. Maintain and increase the City's population.
7. Limit the need for new roads by encouraging infill development within the identified growth areas in 2020 Comprehensive Plan .
8. FBC allows for 5-foot front and side setbacks in contrast with the current 25 feet. Most buildings in these districts are currently non-conforming because of this standard. Generally, the change recommended will have little impact on the allowed uses in the district.
9. In many of the older, developed areas of the City, the current configuration of space within residential buildings is functionally obsolete. Reconfiguration of the available space is often difficult under the density and lot size requirements of the current zoning ordinance.

II. SUGGESTED MOTION: 1.) I make a motion to recommend to City Council a text amendment suggested by council with creation of a new Formed Based Code Zone T-4.2B.

1. All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2. Residential Facilities allowed with special exception approval from the Planning Board.
3. Lodging allowed with special exception approval from the Planning Board.
4. Personal Services allowed with special exception approval from the Planning Board.
5. Age restricted retail not allowed.
6. Restaurants with over 30 seats not allowed.
7. Government offices allowed with special exception approval from the Planning Board.
8. Parking requirements (public or private) may be provided within 500 feet of the establishment.
9. Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
10. No drive through businesses allowed.
11. Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

2.) I make a motion of the proposed map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) boundary and be adjusted from T-4.2 to T-4.2B the total amendment includes 1,687.41 acres shown on the map as Exhibit A.

The green area below highlighted in black is 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed is text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code from T-4.2 to T-4.2B. Roads include parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.



ORDINANCE 20-09062022

T-4.2B ZONING ORDINANCE TEXT AND MAP AMENDMENTS
Council First Reading & Public Hearing 9/6/22
Planning Board Public Hearing 9/13/22

Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE

BE IT ORDAINED, that the City Council hereby approves the amendment of the text and map of Chapter 60, Zoning, of the Code of Ordinances as follows:

---

1. Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (additions underlined and in red):

Subdivision I. In General

● ● ●

Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

● ● ●

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2. Amend ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, to add a new Secs. 60-548B, 60-548B.1, 60-548B.2 and 60-548B.3 as follows (text additions in red text and includes images and photographs):

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

● ● ●

Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

Sec. 60-548B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

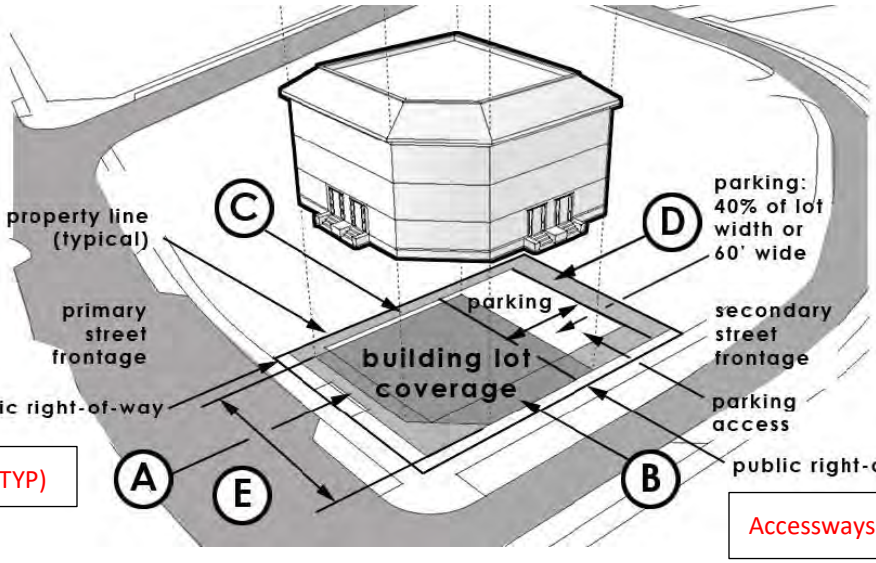
Intent and Purpose:
Traditional Neighborhood (T-4.2B)

The Traditional Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

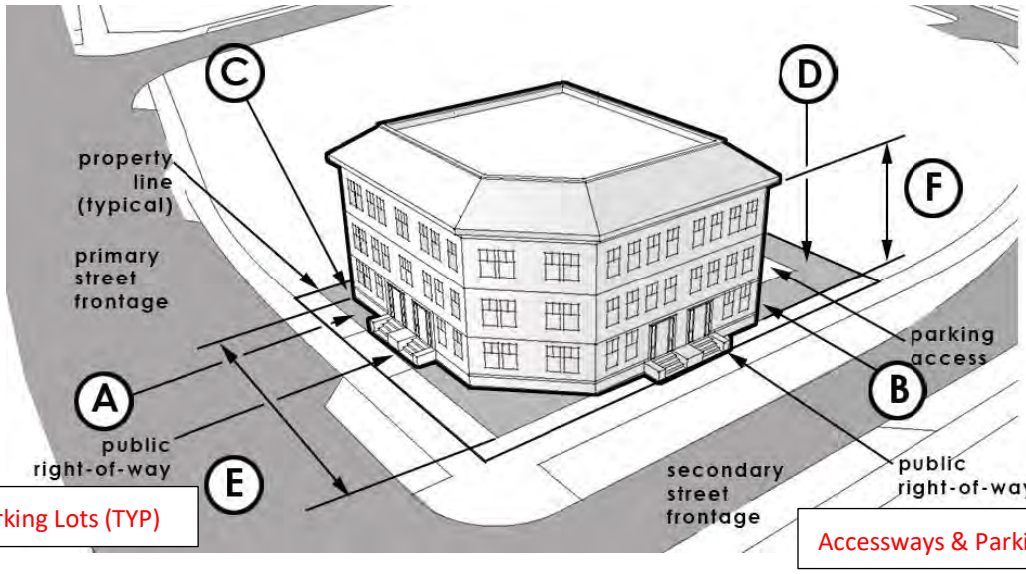
Sec. 60-548B.1. Building placement and configuration T-4.2B.



Accessways & Parking Lots (TYP)

Accessways & Parking Lots (TYP)

Elevated Building Placement



Accessways & Parking Lots (TYP)

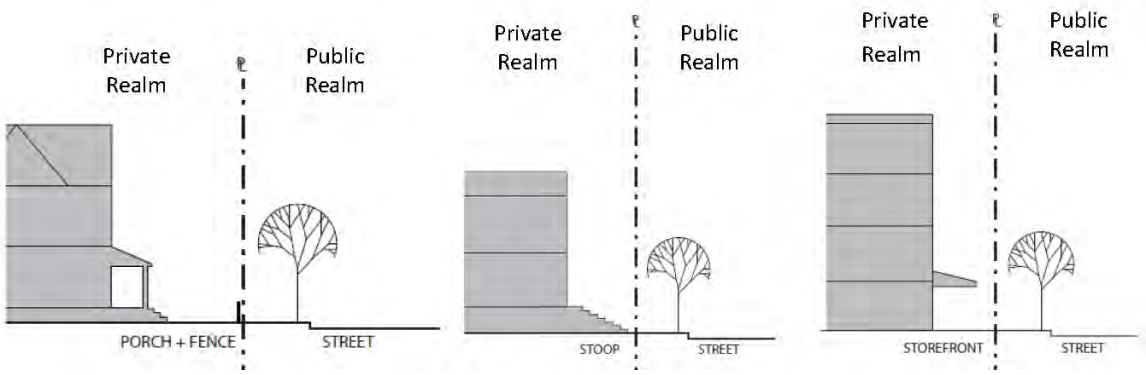
Accessways & Parking Lots (TYP)

Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 25 ft. Max*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

*Where adjacent buildings exceed the maximum setback, the maximum setback may be calculated by the average setback of principal structures on adjacent lots. For undeveloped adjacent lots, a setback of 25 feet shall be used for the calculation.

Sec. 60-548B.2. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Sec. 60-548B.3. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-549. Traditional Downtown Neighborhood T-4.2.

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3. Amend Sec. 60-554 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (text additions underlined and in red; deletions are ~~struck out~~):

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Use Type							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None
Retail Type Use							
General Retail	S	S	S	P	P	P	None
Age Restricted Retail (3)	S	X	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None

Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		X	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	S	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within ~~1,000~~500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must include a residential unit; no drive through businesses allowed.

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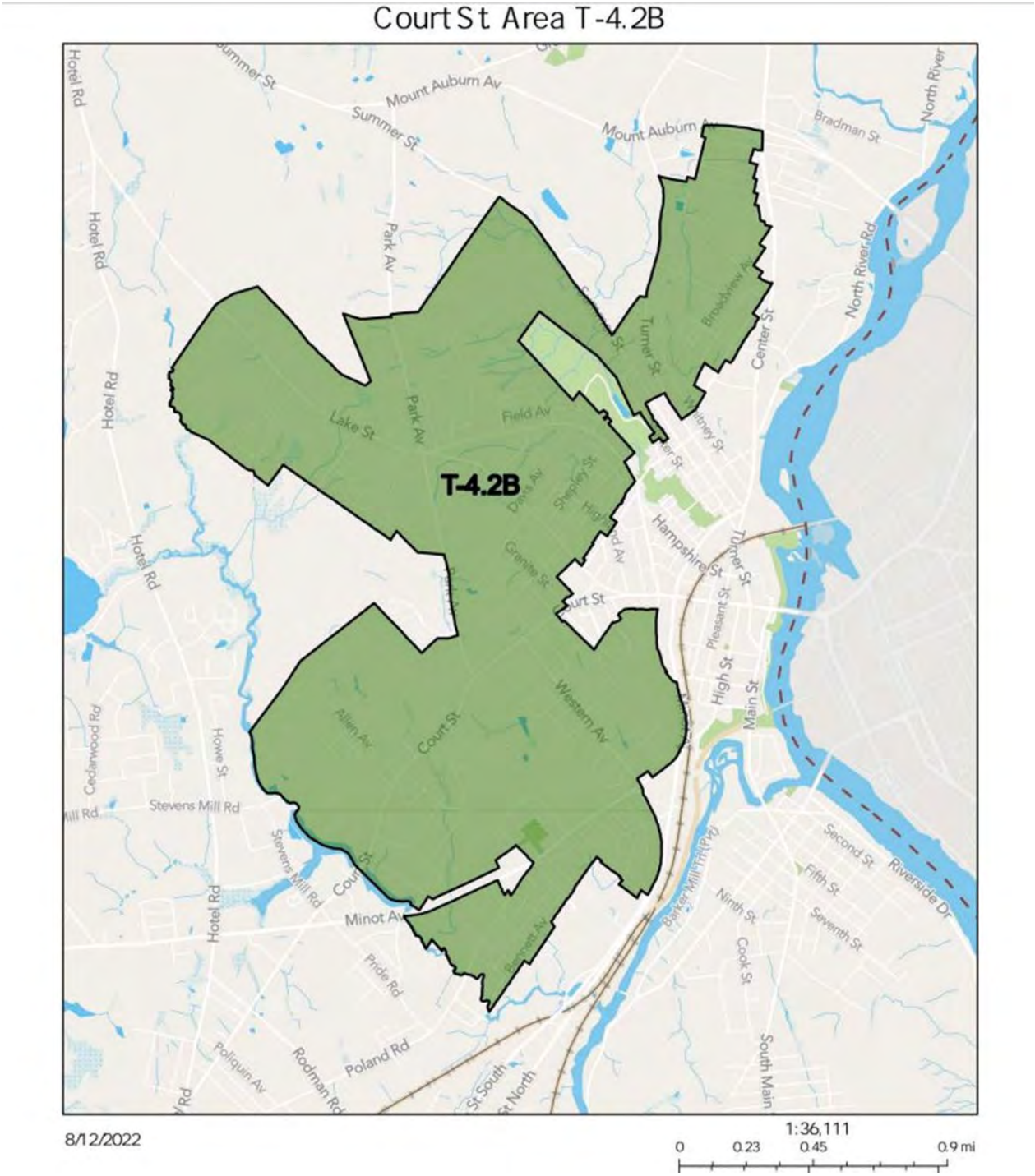
4. Amend the official zoning map of the City of Auburn entitled "City of Auburn, Zoning Map, dated May 16, 2016," revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance, to rezone certain land area from the Urban Residence zoning district to the Traditional Neighborhood Form Based Code T-4.2B zoning district, all as more particularly shown on the attached sketch map. (The attached sketch map is for general reference purposes only. The official zoning map amendment is available for review and inspection at the City Clerk's Office and the Planning & Permitting Department.)

SKETCH MAP OF COURT STREET AREA TO BE REZONED FROM URBAN RESIDENCE TO TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B

The green area outlined in black below is 1,687.41 acres of land area that is currently zoned Urban Residence and is proposed to be rezoned Traditional Neighborhood Form Based Code District T-4.2B. Streets/roads included in the new district are parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **PUBLIC HEARING**

Author: Glen E. Holmes, Director of Business & Community Development

Subject: CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020

Information:
Each year the Community Development office presents the Consolidated Annual Performance Evaluation Report (CAPER), detailing the use of Auburn's CDBG funds & the Auburn-Lewiston Consortium's HOME funds. This report compares actual impact numbers to expectations set within the 5-year Consolidated Plan which was adopted in 2020.

This report was revised after consultation with US Department of HUD staff and re-released. Programs focused on Public Service exceeded expectation and were made possible by additional funding provided for Covid-19 response and relief. Programs which came in under expectation included activities such as home rehab and tenant based Rental assistance as project were put on hold due to the pandemic, or additional programs filled the needs gap (such as the Emergency Rental Assistance program).

City Budgetary Impacts:
CDBG funds expended during this program year totaled $985,156. Home Funds expended totaled $539,708. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action: Hold Public Hearing.

Previous Meetings and History:
Original Public Comment Period October 14-29, 2021
Revised plan Public Comment Period September 1-19th, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020

City of Auburn

Consolidated Annual Performance Report (CAPER)

PROGRAM YEAR 2020

On behalf of:

The Auburn-Lewiston Home Consortium &
City of Auburn CDBG program

Prepared by Auburn Community Development Office

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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)
This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The Auburn/Lewiston Consortium Annual Performance Report describes implementation of the consortium's consolidated plan for the 2020 project year. The consolidated plan covers the use of HOME Investment Partnership Program (HOME) for both Auburn & Lewiston, Community Development Block Grant (CDBG) for Auburn and leveraged funds for the period of July 1, 2020, through June 30, 2021. Objectives and expectations for HOME & CDBG funds have been identified through the Consolidated Plan process. The Annual Action Plan addresses how identified objectives are met for each year of the Consolidated Plan.

The global Covid-19 pandemic as well as a high rate of staff turnover within the program significantly affected the outcomes contained in this report. However, progress has been made to address Consolidated Plan priorities and objectives. When the CDBG Covid-19 funds were provided to the city there was no requirement to increase the expected outcomes of the Annual Action Plan. The effect is that the impact from the extra programming created the illusion that the city outperformed its expectations. In reality, where the regularly expected impacts were difficult to reach due to the pandemic, the added programs overcompensated for the shortfall in impact.

Improve Parks and Create Community Gardens: Agreements have been signed with St. Mary's Nutrition Center for the construction of the third community garden. This garden, located on Whitney St, has been fenced in and most of the garden beds built and planted for this growing cycle. The other two gardens continued to operate this year with health and safety guidelines in effect. The city also installed neighborhood signs in New Auburn to promote neighborhood identity and benches in Anniversary Park.

Make Neighborhoods Safe and Walkable: The City of Auburn has made a number of efforts this past year towards making neighborhoods safe and walkable. On Third St, a raised crosswalk been installed to service the community around the neighborhood Boy & Girls Club and safely and reduce vehicle speeds on these residential streets.

Prevent Deterioration of Housing Stock/Aub: The pandemic paused rehab projects and a lack of contractors has created a backlog of projects. Delays caused by the pandemic and rising construction costs have added to the large number of open/uncompleted projects, many of which were finished and closed out during the final months of this program year. Moving forward Auburn is now better positioned to make broader, more impactful improvements in the condition of housing stock across the city during the subsequent years of this consolidated plan to make up

for the lack of notable forward momentum this past year.

Improve Quality of life for Seniors: Throughout the pandemic the Auburn Recreation and the new Senior Community Center were busy with a variety of programming for the community. When allowable under Covid safety protocols programming was offered and centered around the senior population. These programs provided opportunities for seniors to be social and physically active as well as participating in meal programs. Similarly, in addition to a Public Service grant to SeniorsPlus for a Meals-on-Wheels program, new programming was added for Seniors including the Senior Activity Kits and the Grab-N-Go food delivery program which were launched to mitigate the harmful effects of isolation and hunger caused by the Covid19 Pandemic.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Improve Infrastructure and reduce blight	Non-Housing Community Development	CDBG: $ / HOME: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	3000	1977	65.90%	1000	1977	197.70%
Promote Economic Opportunities	Non-Housing Community Development	CDBG: $ / HOME: $	Jobs created/retained	Jobs	10	6	60.00%	2	6	300.00%

Promote Economic Opportunities	Non-Housing Community Development	CDBG: $ / HOME: $	Businesses assisted	Businesses Assisted	10	4	40.00%	2	4	200.00%
Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1200	984	82.00%	384	984	256.25%
Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	0	6		81	6	7.41%
Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Homeless Person Overnight Shelter	Persons Assisted	0	47		0	47	
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Rental units rehabilitated	Household Housing Unit	100	15	15.00%	25	15	60.00%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Homeowner Housing Rehabilitated	Household Housing Unit	50	7	14.00%	10	7	70.00%

Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	125	14	11.20%	30	14	46.67%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

Anti-Poverty Strategy has been addressed by providing funds to public service agencies and two city programs. Literacy Volunteers, Community Youth Services and Androscoggin Head Start are crucial to the success of families who are struggling with the issues of poverty. The Auburn Police Department offers a program called "Work with Me" aimed at area high school youth to ensure they remain in school and learn important skills that can transition them out of generational poverty. The Recreation Scholarship Program is funded to aid LMI families by offering valuable summer camp experiences for area youth. The program provides greater diversity within the campers as well as making it possible for parents to work, look for employment and better their financial situations.

Auburn's aging housing stock has been neglected and in disrepair within specific target areas. Rehab projects dropped off due to the pandemic. Many jobs were canceled or greatly delayed because of the added risk of bringing contractors into occupied units during the pandemic. Program guidelines have been revamped at the end of the project year to streamline applications as well as to limit the number of various programs putting funding into the same property. The goal moving forward is to generate larger impact within the community by focusing on many more, smaller dollar critical repairs needed by auburn residents as opposed to whole-home upgrades. Auburn appears to be experiencing more investment in housing due to rise in housing costs in other areas of the state.

The city addressed the safety and walkability of neighborhoods with pedestrian improvements to Third St. A raised crosswalk was installed that allows visitors of the Boys and Girls Club to safely cross the street to the newly constructed Anniversary Park. A Neighborhood Challenge Grant was also used to place benches and bike racks within Anniversary Park to improve accessibility. Walkability is also continuing after the design commissioned for the Library St. area.

Promoting Jobs and development has been a difficult goal to make progress on. The City is finding the program difficult for applicants due to eligibility requirements. Program guidelines were altered to expand eligibility, but the City still only approved one activity under this goal the past project year. The city was more successful disbursing the additional Covid grant funds to another 3 businesses.

Preventing homelessness was addressed through public service providers, Tedford Housing and Safe Voices, who provides shelter for the homeless.

The continued Senior Center Expansion allows the city to better serve the growing senior population of Auburn by providing more space and better amenities. New additions this year were expanded refrigeration and backup generators to help service seniors through the pandemic.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG	HOME
White	1,438	15
Black or African American	234	0
Asian	16	4
American Indian or American Native	20	0
Native Hawaiian or Other Pacific Islander	6	0
Total	**1,714**	**19**
Hispanic	18	3
Not Hispanic	1,696	16

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The total population for the city of Auburn is 23,414 and the 2019 ACS shows that 91% of the population is white, 5.7% is two or more races, while all other races where less than 2%.

The analysis of CDBG Funds spent by population shows that 83% were white, 13% were black and the other races received 2%. Home Funds spent by population shows that 78% of the funds went to white households/persons, 21% are Asian households/persons. Demographics for the City are changing as more diverse families are seeking to settle in Auburn. The discrepancy with the HOME funds total demonstrates a struggle for these families to enter homeownership as well as the need for further improvements to the city's affirmative marketing plan.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,802,724	985,156
HOME	public - federal	1,365,409	539,708

Table 3 - Resources Made Available

Narrative

The city had a notable carry over of uncompleted projects from the previous year which were completed during this period. The higher number of CDBG funds represents the city catching up on not just open projects but the subsequent drawdowns.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description

Table 4 – Identify the geographic distribution and location of investments

Narrative

The 2020-24 Consolidated Plan did not provide for a target area of focus, but instead categorized activities under a city-wide lens. Because of this the data provided by the IDIS reporting system did not track such information.

Under the most recent Action Plan there is a designated target area of focus for future projects. This area consists of Census tracts 101, 103 & 105, which are qualified as being 51% or more Low-to-Moderate Income in the 2015 American Community Survey (ACS) Census 2010.

During this program year there were no publicly owned land utilized to fulfil the needs identified within the Consolidated Plan.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The city tracks available match carried forward from previous years. For this year the city has an available carry forward of $1,388,905.11 in match. The City also received approval of a match waiver allowing this amount to be carried forward for another year.

City programs leverage additional federal, state, or private funds by requiring matching funds be provided by homeowners and non-LMI multi-unit owners. These match requirements average 20% of project costs.

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	1,351,210
2. Match contributed during current Federal fiscal year	0
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	1,351,210
4. Match liability for current Federal fiscal year	0
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	1,351,210

Table 5 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	**Date of Contribution**	**Cash (non-Federal sources)**	**Foregone Taxes, Fees, Charges**	**Appraised Land/Real Property**	**Required Infrastructure**	**Site Preparation, Construction Materials, Donated labor**	**Bond Financing**	**Total Match**

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period $	**Amount received during reporting period $**	**Total amount expended during reporting period $**	**Amount expended for TBRA $**	**Balance on hand at end of reporting period $**
31,230	259,400	126,908	2,018	163,722

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	**Minority Business Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Contracts						
Dollar Amount	0	0	0	0	0	0
Number	0	0	0	0	0	0
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

	Total	**Women Business Enterprises**	**Male**
Contracts			
Dollar Amount	0	0	0
Number	0	0	0
Sub-Contracts			
Number	0	0	0
Dollar Amount	0	0	0

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	**Minority Property Owners**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition		
Parcels Acquired	0	0
Businesses Displaced	0	0
Nonprofit Organizations Displaced	0	0
Households Temporarily Relocated, not Displaced	0	0

Households Displaced	**Total**	**Minority Property Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	48	8
Number of Non-Homeless households to be provided affordable housing units	34	8
Number of Special-Needs households to be provided affordable housing units	0	0
Total	**82**	**16**

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	48	8
Number of households supported through The Production of New Units	0	2
Number of households supported through Rehab of Existing Units	34	6
Number of households supported through Acquisition of Existing Units	0	0
Total	**82**	**16**

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The one-year goal for HOME programs is established in the 2020 Annual Action Plan. The HOME Data in the table above is populated from the HUD IDIS system, which may not include all activities covered by this report. The data above is only from the HOME activities completed in project year 2020. Some activities were begun in the previous program years and closed out within 2020. Similarly, some activities have begun in Program year 2020 but are not yet complete.

Additionally, the impacts of the Covid-19 pandemic, related increase in construction costs, limited available contractors and eviction moratoriums impacted the city's ability to meet goals and complete projects as expected.

During the Pandemic the city provided extra focus on addressing "worst case needs". Additional support was provided through the Emergency Rental assistance (ERA) program operated by a local community Action program. These low-income renters are traditionally burdened by paying more than half of their monthly income towards rent, homeless or currently housed in substantially substandard housing.

Tenants in substandard housing are served by the CDBG Emergency repair program. Of the rehab projects completed within the program year 15 of 22 units were housed by tenants who qualify as Low-to-Moderate income.

These multi-unit rental rehab projects are intended to foster and maintain affordable housing stock within Auburn by providing financial resources to landlords for qualified repairs in exchange for maintaining affordable rents within rehabbed units. This affordability period length differs based on the amount of federal subsidy, but caps monthly rent at Fair Market Rent (FMR) standards as posted by HUD each year.

There were noted errors included within the previous year action plan and consolidated plan. These errors were made under the presumption of qualified vs nonqualified units which could be expected during the current year. This impact is most notable under the number of Homeless households to be provided affordable housing units. The expectation is to have a greater impact for this qualified population through the implementation of new Home-ARP funded programs later this project year.

Discuss how these outcomes will impact future annual action plans.

The Consortium will consider these outcomes when establishing the goals of the 2022 Action Plan.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	6	7
Low-income	47	7
Moderate-income	0	2
Total	**53**	**16**

Table 13 – Number of Households Served

Narrative Information

Home funds for Project year 2020 were reserved for single family residences. All the HOME funds deployed during the year can be more effectively targeted to the Low-Moderate Income population. Meanwhile, CDBG funds are used on multi-unit rehab projects. To qualify a multi-unit building for rehab a minimum of 51% of the tenants need to qualify as LMI. During program year 2020 only 2 units were reported as being non-low-mod, compared to the 16 Low-mod units. This represents only 11% of CDBG units rehabbed during the year, which is well under the 25% guideline.

Additional efforts are being undertaken to maintain and preserve affordable housing through the Lead & Healthy Homes program. This program provides grants to homeowners and landlords to improve living standards by removing lead hazards. All units utilizing this program must be occupied by low-to-moderate income families or be made available to LMI tenants in the future. This program, which leverages CDBG funds to cover income qualifying homeowners required match funding, provides for an affordability period in which max rent rates are monitored to assure affordability. Each new unit rehabbed creates 1 new affordable unit within the city.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Maine Continuum of Care's outreach plan is supported in coordination with the Department of Health and Human Services (DHHS) Projects for Assistance in Transition from Homelessness (PATH) grantees. The goal of these outreach efforts is to engage individuals who are unsheltered, assess their immediate needs and health care concerns, determine their eligibility for MaineCare and other services, and transition them to a community provider for ongoing assistance.

The Maine CoC continued to redesign its Coordinated Entry System in 2020 and has coordinated with the Maine Statewide Homeless Council to redesign the homelessness response system in Maine around local service hubs. When implemented, these hubs will include outreach providers who will be able to directly with shelter and housing providers in their area.

Internally, Auburn's Community Development office now houses the City General Assistance Administrator as well as the Public Health Officer. These positions are working proactively with the city police and EMTs to develop new resources for first responders to house homeless individuals in distress or rehouse individuals after an adverse experience that would otherwise lead to homelessness.

Both the General Assistance Administrator & the City Public Health Officer are active members of the Lewiston Auburn Alliance of Services to the Homeless (LAASH). LAASH has been working in the Lewiston Auburn area for 25 years and meets monthly to focus on local homeless issues. It is currently working on continuum of care issues and provides a forum for educating its members about available resources.

Addressing the emergency shelter and transitional housing needs of homeless persons

Maine continues to address both emergency shelter and transitional housing needs of persons who are homeless through the direction and advocacy of the Maine Continuum of Care and the Maine Statewide Homeless Council. Maine utilizes ESG funding to support 36 shelters across the state, including adult individual, family, youth, and domestic violence shelters. Unfortunately, most local shelters are not funded by Maine Housing Authority. Instead, the city utilizes portions of its Public Service allocation of funds to provide some financial support to these programs.

One such organization is Safe Voices, a domestic violence response organization that helps including re-housing and homelessness diversion programs.

Helping low-income individuals and families avoid becoming homeless, especially extremely

low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Statewide Homeless Council continues to work with the Department of Corrections to implement the Maine Criminal Justice System Blueprint for Ending and Preventing Homelessness, which seeks to prevent inmates from being released into homelessness. A similar Blueprint for Ending Homelessness with DHHS is used to address discharge planning from state-run mental health facilities. Maine was also awarded the Youth Homelessness Demonstration Program grant in 2019 and has been working to design and implement a number of programs supported by that funding. These programs will establish protocols and procedures for youth leaving foster care and other youth facilities.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Community Development staff, specifically the Public Health Officer and General Assistance Administrator work in cooperation with the School Department, Police & Fire departments as well as local non-profits such as Safe Voices and New Beginnings. This integration of services allows for more direct hand-offs of residents in need and various service providers.

The Community Development team was recently awarded $1.7 Million in a new, 1 time allocation of HOME-ARP funds. The plan currently being developed for both Auburn & Lewiston around these funds are targeted specifically towards meeting the needs of homelessness, homelessness prevention and additional qualified populations.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City of Auburn works closely with the Auburn Housing Authority (AHA) on the promotion and development of affordable housing. During this program year AHA increased their payment standards within the section 8 voucher program up to 110% of Fair Market Rent. This increase is to assist qualified renters be able to find and afford housing in the face of increasing rental rates and limited supply of available units.

MaineHousing Family Self-Sufficiency (FSS) staff continue to lead statewide efforts to improve processes and evaluation of the program among those PHAs who administer it, along with bringing together all other PHA FSS staff to assess and respond to new HUD program regulations. Along with Portland HA, MaineHousing is a member of the National FSS Network through a partnership with Compass Working Capital.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

City provides down payment assistance are available to first-time homebuyers who meet income requirements.

Actions taken to provide assistance to troubled PHAs

There are no troubled PHAs in Maine.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The city of Auburn has been very proactive removing barriers to housing development in the past year. Notable achievements include the approval of new ordinances allowing for accessory dwelling units, an increase in density standards and reduced road frontage requirements for residential lots. Coupled with a new form-based code, these changes will promote in-fill development of new housing, allow for multi-unit housing development in residential zones and reducing or eliminating permit fees for targeted demographics.

The city efforts in advocating for change do not stop at the local level. They Mayor of Auburn has been active in highlighting inequities in policy which hinder progress in development of new affordable housing units. In a recent editorial the mayor is continuing to call for zoning reforms to address racial inequities not just in Auburn, but across the state. the full article is linked below: https://news.yahoo.com/editorial-auburns-mayor-isnt-afraid-035900064.html?soc_src=social-sh&soc_trk=ma&guccounter=1Further coverage of new, private affordable housing developments the city has been developing: https://wgme.com/news/local/new-affordable-housing-developments-planned-for-biddeford-auburn

Linked below is a radio interview with Maine Speaker of the House talking about Auburn's innovative changes to zoning for the promotion of affordable housing development (comments begin at 5min30sec.) https://soundcloud.com/newsradio-wgan/speaker-ryan-fecteau-7?utm_source=clipboard&utm_campaign=wtshare&utm_medium=widget&utm_content=https%253A%252F%252Fsoundcloud.com%252Fnewsradio-wgan%252Fspeaker-ryan-fecteau-7

Below are two articles highlighting the City Council efforts to promote affordable housing development by making strategic changes to zoning and land use ordinances:

https://www.sunjournal.com/2021/05/02/auburn-looks-to-zoning-to-solve-housing-crunch/https://www.sunjournal.com/2020/09/18/auburn-looking-to-increase-housing-stock/

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

Administrative barriers for underserved community needs are being improved in part through the addition of General Assistance Administrator and Public Health Officer to the Community Development team. They are integral parts of weekly team meetings as well as having input on the Action Plan

development and Caper reporting. These front-line, community facing positions work with underserved communities daily and relay program challenges and changing community needs to the team more rapidly so improvements can be made to program delivery on a weekly basis if need be.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

During the project year the City of Auburn worked with regional CAP agencies to provide additional resources for Lead remediation projects.

The City of Lewiston has received and began the first year of a three-year Lead Hazard Control & Healthy Homes (LHCHH) grant. The City of Auburn has applied for and just received notification of award for their own LHCHH grant to begin implementing in the current project year. These funds will be used in cooperation with the CDBG & HOME funds to further the impact of this program.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

In Maine, there is a statewide network of Community Action Programs (CAPs) with a common purpose of providing services to low-income people across Maine. The goal of these agencies is to empower low-income people to lift themselves and their families out of poverty. The city works with these agencies to leverage additional support for poverty-level families to weatherize and install new, more efficient systems in more homes. On a case-by-case basis city staff has been able to make referrals to financial coaching services and Homebuyer education classes provided by these CAP agencies.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Internally, the City of Auburn has redeveloped the entire Community Development department, including the integration of General Assistance and Public Health Officer. This includes 100% turnover of staff within the past project year. This new team-based approach to program delivery has allowed staff to provide a more holistic delivery of services to targeted communities. The redevelopment coincided with larger city efforts to streamline the application, approval, and service delivery. These efforts have reduced impact latency and allows the program to respond in-time to identified needs. In 2020, MaineHousing and the Maine Continuum of Care continued to work to redevelop and improve its Coordinated Entry system. The Maine CoC has also worked to address the concerns brought forward in the gaps and needs analysis conducted in 2019.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Community Development Staff is working in tandem with Auburn Housing Authority (AHA) staff to develop new plans for new affordable housing units, manage a Security Deposit assistance program as well as managing a new co-op owned residential facility.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The city has put substantial effort into removing barriers to the development of new affordable housing units. These efforts include switching to form-based code, changes to density standards in residential zones allowing for the construction of new, accessory dwelling units and the reduction of required road frontage to allow for infill development of new residential units.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Community Development Staff is working within the Auburn-Lewiston Consortium to implement new, comprehensive monitoring program to ensure fund recipients are adhering to program guidelines for the duration of their federally mandated affordability period. This process includes an annual desk monitoring, risk assessment and onsite inspection regiment which serves to verify and document findings related to income levels, fair market rental rates and compliance with the city's established standards of housing.

Additional required oversight and technical assistance is being developed for Public Service grant recipients. The city requires a subrecipient to submit a quarterly demographic and impact report for desktop review prior to requesting disbursement of funds. These reports include backup data on the demographics of LMI program recipients as well as administrative data such as payroll records and financial expense reports. This elevated level of review ensures that grant recipients are better prepared to not only provide, but to track and report out on the essential and valuable impact they provide.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

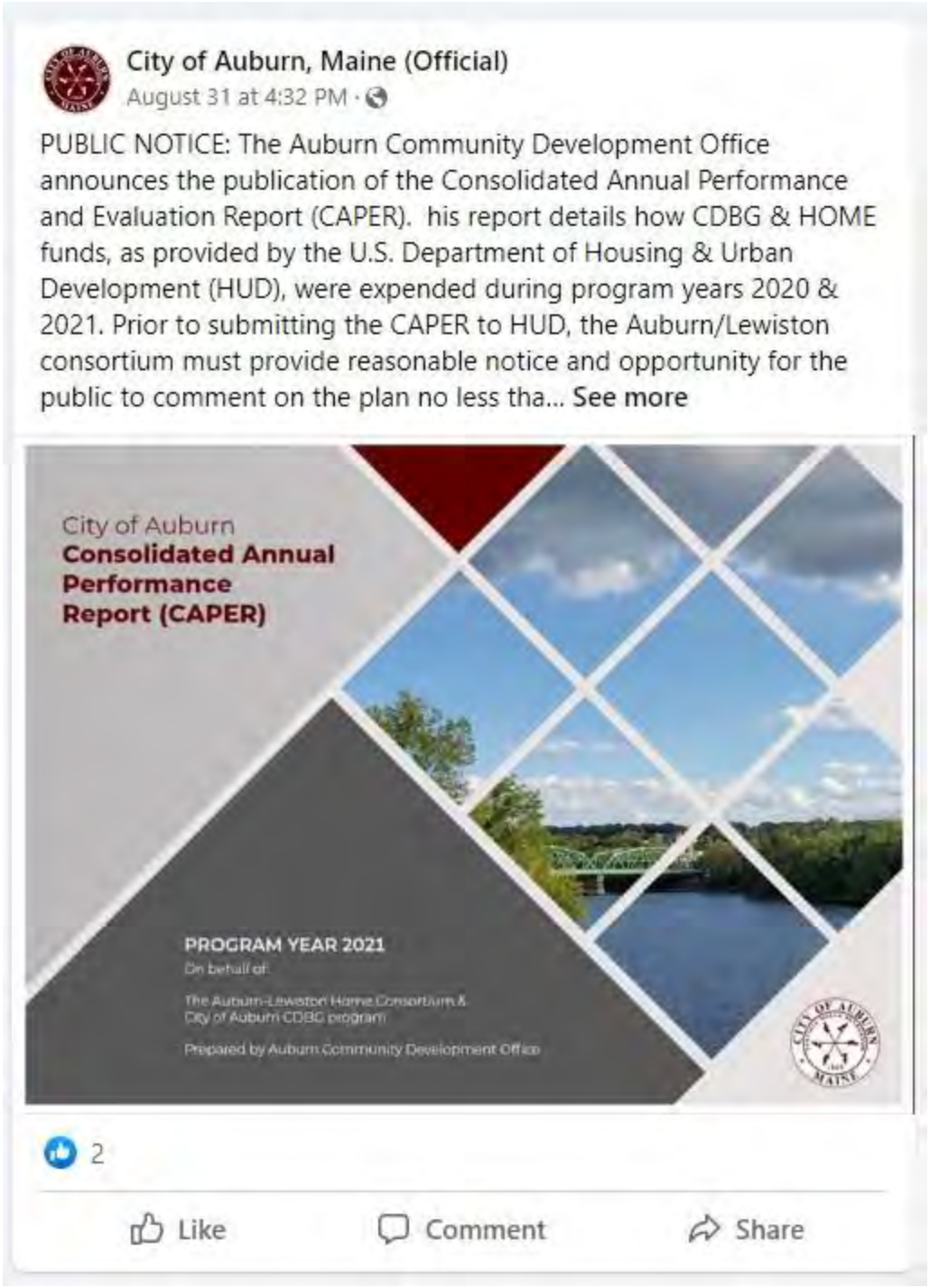
The draft 2020 CAPER was published on the city website and available for public comment for 15 days as required by statute beginning October 14th to October 29th. The public was notified of the availability via newspaper ad in the Lewiston Sun Journal. Additional solicitations for input were made available through the city social media presence. The Caper was also emailed directly to the 2,041 individuals who have signed up for email alerts through the city marketing department.

The revised 2020 Caper was published on the city website and available for public comment for 15 days as required by statute beginning September 1st to September 20th, 2022. A Public Hearing was held by the Auburn City Council on September 19th. The public was notified of the availability of the report in accordance with the Citizen Participation Plan. Additional solicitations for input were made available

through the city social media presence. The Caper was also emailed directly to the 2,041 individuals who have signed up for email alerts through the city marketing department.

Responses to comments received will be included here prior to submission.

Improved citizen outreach efforts include posting notices to the CAPER (with direct access links and QR codes) in public facilities around the city. This includes city hall, public library, senior housing facilities and food pantries. Additional outreach methods include translatable website and social medial notifications. These posts include language and directions for accommodations for language translation and access to printed versions of the report.


City of Auburn, Maine (Official)
August 31 at 4:32 PM ·
PUBLIC NOTICE: The Auburn Community Development Office announces the publication of the Consolidated Annual Performance and Evaluation Report (CAPER). his report details how CDBG & HOME funds, as provided by the U.S. Department of Housing & Urban Development (HUD), were expended during program years 2020 & 2021. Prior to submitting the CAPER to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less tha... See more
City of Auburn
Consolidated Annual Performance Report (CAPER)
PROGRAM YEAR 2021
On behalf of:
The Auburn-Lewiston Home Consortium &
City of Auburn CDBG program
Prepared by Auburn Community Development Office
2
Like
Comment
Share

Winthrop talk to cover town's apple history

WINTHROP — Kerry Wilkins-Demming plans present a "History of Apples in Winthrop: What We Know and What We Don't Know," at 6 p.m. Thursday.

The talk will take place at at the Winthrop History and Heritage Center, 107 Main St.

Wilkins-Demming, who lives in East Winthrop, will talk on the early history of Pond Town, the more recent history of apples in Winthrop and the future of apple orchards in town.

Kerry Wilkins-Demming

Ichabod Howe, an early settler in what was then called Pond Town, planted orchards there. He and his family moved from New Hampshire to Pondtown in 1768.

Howe brought with him a bag of apple seeds. One of the seedlings became the Winthrop Greening, which still exists today due to Morris Towle (1911-90), who found the Winthrop Greening and saved it.

The Winthrop Greening, now over 250 years old, can be found at the Maine Heritage Orchard in Unity where one can obtain scion wood for the Winthrop Greening from Fedco trees.

For more information, call 207-395-5199 or email win-[redacted]

LIVERMORE FALLS

Library events, programs planned

LIVERMORE FALLS — Treat Memorial Library, at 56 Main St., plans several events and programs for September.

Among those is Fall into Books, every time books are checked out at the library, the reader is entered for a chance to win a book in December. The more books read, the more chances to win. The library has books available for children, teens and adults, so everyone gets to play this fall, according to a news release from the library.

The library will be closed Tuesday in observance of Labor Day.

Those who need help with a job search can talk with a career consultant from the Career Center from 1 to 3 p.m. Wednesday. Appointments will be drop in on a first-come, first-serve basis. The consultant will be able to assist with job searches, preparation of a resume and cover letters, and/or provide information on education and training related to one's career interest.

On Wednesdays at 10:30 a.m., Story Time will be held inside at the library with picture books, singalongs, and other activities.

Book Club will hold a hybrid meeting, both Zoom and in person, at 3 p.m. Thursday. "One Flew Over the Cuckoo's Nest" by Ken Kesey will be discussed as part of the club's Count on Books series (books with numbers in the title). Let staff know if a copy of the book up for discussion is needed.

Check out the staffs' latest favorites from the shelves with Bonkers for Books, their biweekly recommendation video on Facebook. Some of their favorites will be shared on Saturdays, Sept. 3 and 17.

The library's annual book sale is back. On Saturday, Sept. 24, from 10 a.m. to 2 p.m., the library will have books, DVDs, CDs and more available by donation; stop by on way to or from the Apple Pumpkin Festival.

For more information, call the library at 207-897-3631.

Lewiston Public Library reading program concludes

The Lewiston Public Library's Summer Reading Program recently ended.

The program, which ran from June 27 through Aug. 13, provided all ages with reading logs that also served as bookmarks. Participants could log reading time combined with other activities such as signing out a state of Maine park pass or signing out a nature backpack filled with educational activities on the topics of birds, wildlife and plants. The backpacks were provided by the Maine Audubon Society.

"Adults were part of the enrichment and fun too. Not only did they complete more reading logs than last year but also enjoyed book discussions with ReadME in partnership with the Maine Humanities Council; listened to the musical stylings of New York Blues Hall of Fame inductee Marc Blue; and learned about community solar, whales of Maine, and first amendment rights in the modern age," said Children's Librarian Sara Turner, according to a news release from Dottie Perham-Whittier, community relations coordinator at Lewiston City Hall.

"Every person has different learning styles, and we want to provide accommodations for more than just reading. It's about experience, it's about engagement, and educational enrichment in many learning forms. We want a connection with the Lewiston Public Library to be safe, a place where people feel accepted, and a place where they are understood."

Mayor Carl Sheline shared his enthusiasm of how Read, Make, Explore reached community members. "The Library is a cornersione of our city, and I'm proud of the programs that Sara and the Children's Department have developed for all ages this past summer," he said.

In addition to in-person activities with an Ocean of Possibilities theme, the program provided educational presentations, a magician and puppeteers, lecture talks and crafts for adults, and learning enrichment programs about sharks, cephalopods, and the importance of keeping the environment clean. Participants also visited with entertainer Drew Desjardins of Mr. Drew and His Animals Too in Kennedy Park.

Turner adds that Tree Street Youth also visited the library each week over the summer, which provided youth with access to various activities, books, and interaction with Library staff. The relationship with Tree Street Youth is expected to continue into the fall.

To be sensitive to the time and possible transportation and language barriers for parents/guardians to bring children to the library, Turner also brought the summer reading program to each Lewiston elementary school where 21st Century and Early Promise Education summer camps were being hosted. She said that at the end of the program she rolled in carts of books to give away.

"Seeing the smiles spread across each child's face as they selected a book was worth the effort. There's nothing like receiving a brand new book as your very own, especially if you're only had used books. Even in these small moments, you never know how it can impact a child's life," said Turner.

The Children's Department gave away over 400 new books this summer.

Library Director Marcela Perez echoed the mayor's sentiments, "Mainers love to take full advantage of summers, so Lewiston Public Library staff work hard to offer programming that engages community members of all ages in a season of joyful learning and enrichment. We hope that through the Library's Summer Reading Program each year, kids, teens, and adults will use their extra time to challenge themselves to learn new skills, meet others with similar interests, and celebrate our community of learners."

Additional creativity at the library continued throughout the summer with Lewiston High School 21st Century teens weekly utilizing the teen space, and the Teen Tabletop RPG Program, which will continue into the fall, brought many new teen patrons into the teen space. In addition, library staff and teen volunteers also hosted story times within the community, and the teen space was also a popular venue for teens and families to play games, read, watch movies, do crafts and stay cool.

For more information, visit [redacted]

Visit us online at sunjournal.com

CITY OF LEWISTON PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on **Tuesday, September 6, 2022, at 7:00 p.m.**, or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Basin Bar Brewing Co., LLC
128 Lisbon Street
Category – Malt Liquor Manufacturing

The City of Lewiston is an EOE. For more information, please visit our website at [redacted] and click on the Non-Discrimination Policy.

PUBLIC NOTICE CITY OF LEWISTON - PLANNING BOARD MEETING

The Lewiston Planning Board will hold a hearing on Monday, September 12, 2022 at 5:30 p.m. in the City Council Chamber, third floor of City Hall to consider:

• An amendment to Appendix A, Article XII, Section 27 of the Zoning and Land Use Code reducing the minimum lot size required for the keeping of up to six female chickens to 15,000 square feet in specific zoning districts.

Information is available in Planning & Code Enforcement on the third floor of City Hall between 8:30 a.m. and 4:00 p.m., Monday through Friday. Written comments may be submitted to the Planning & Code Enforcement Department on or before the hearing date, and comments will be accepted at the hearing.

NOTICE

The Auburn Community Development Office announces the publication of the Consolidated Annual Performance and Evaluation Report (CAPER). This report details how CDBG & HOME funds, as provided by the U.S. Department of Housing & Urban Development (HUD), were expended during program years 2020 & 2021. Prior to submitting the CAPER to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until September 19th, 2022. Comments may be submitted to [redacted] or delivered in person to the Business & Community Development Office. A Public Hearing will be held by the Auburn City Council on Sept 19th, 2022.

Request printed copies, translations, or other accommodations by emailing CDBG@[redacted] or call the Community Development Office at (207) 333-6601.

View the reports at [redacted] or scan the QR code below to download:

NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME-ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until October 4th, 2022. Comments may be submitted to [redacted] or delivered in person to the Business & Community Development Office. A Public Hearing to be held by the Auburn City Council on Sept 19th, 2022 & by the Lewiston City Council on October 4th, 2022.

Request printed copies, translations or other accommodations by emailing CDBG@[redacted] or call the Community Development Office at (207) 333-6601.

View the plan at [redacted] or scan the QR code to download:

NOTICE TO CREDITORS
RE: DEBARE L. GESSELIN, DECEASED
TO: ALL PERSONS HAVING CLAIMS OR DEMANDS AGAINST THE ABOVE NAMED DECEDENT

The above-named Decedent, established a Living Trust, entitled **Gerald and Bejane Gesselin Living Trust Dated March 22, 1994 and Restated February 23, 2004.**

The name(s) and address(es) of the Trustee(s) is/are set forth below.

ALL INTERESTED PERSONS ARE NOTIFIED THAT:

All creditors of the decedent and other persons having claims or demands against decedent's

Trust and/or estate must file their claims with the Trustee(s) listed below **WITHIN FOUR MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.**

ALL CLAIMS AND DEMANDS NOT SO FILED WILL BE FOREVER BARRED.

The date of the first publication of this Notice is August 26, 2022.

Sandra Boland, Trustee
19749 Glendale Dr, Land O' Lakes, FL 34638
813-481-7261

LEGAL NOTICE AND NOTICE OF HEARING

MAINE DEPARTMENT OF HEALTH & HUMAN SERVICES MAINE DISTRICT COURT

IN RE: HARDIN WILSON
DOC. NO. LEWDC-PC-20-096

NOTICE IS HEREBY GIVEN TO
John Wilson, Unknown Father of Hardin Wilson and David Lord (hereby and where known collectively referred to as "Respondents") pursuant to 22 M.R.S. §4051 et seq., the Maine Department of Health & Human Services (hereafter "DHHS") has petitioned the Court for a Child Protection Order and an Termination of Parental Rights Order concerning the child **Hardin Wilson d/o/b: 08/09/20 born at Lewiston, Maine.** The mother is **Holly Herrick** and the father is or may be John Wilson, Unknown Father or David Lord. DHHS has met the requirements of M.R. Civ. P Rule 4(d)(1)(A)-(C). Hearing on the pending Petition(s) will be held at **Maine District Court, 71 Lisbon Street, Lewiston, Maine, on October 06, 2022, at 8:30a.m. alternately by remote means to be determined and assigned by the clerk's office. You must contact the clerk, Maine District Court, 71 Lisbon Street, Lewiston, ME 04240 (207) 795-4800 immediately to receive further instructions about the method of participation in this hearing. Failure to appear at this hearing by the means set by the Court may result in the issuance of a Child Protection Order, the termination of your parental rights, and/or any other order permissible under 22 M.R.S. §4001 et seq.** You may be entitled to legal counsel in these proceedings. Contact the court at the above address or **call 207-795-4800** to obtain a copy of the Petition(s), contact the court or DHHS at **200 Main Street, Lewiston, ME 04240207-795-4620.** DHHS is represented by the Maine Office of the Attorney General, 6 State House Station, Augusta, ME 04333.

Dated: 08/11/22

Jennifer R. Archer
Judge, Maine District Court

A True Attested Copy
Clerk, Maine District Court

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
2 Turner Street, Auburn, Maine
NOTICE OF PETITION FOR CHANGE OF NAME TO ALL PERSONS INTERESTED IN ANY OF THE FOLLOWING PETITIONS:

Notice is hereby given by the respective petitioner(s) that they have filed a petition for change of name, as follows: The matter will be heard beginning at 1:00 PM or as soon thereafter as it may be, on the 20th day of September, A.D., 2022. The requested change of name may be granted on or after the hearing date, if no sufficient objection be heard.

2022-396 SHAYLA MARIE GETCHELL of Lisbon Falls, adult: Petition to change name to SHAYLA MARIE BUNAVAUSKAS, presented by Shayla Marie Getchell
Date: August 26, 2022

/s/ Tom Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
PROBATE NOTICES
TO ALL PERSONS INTERESTED IN ANY OF THE ESTATES LISTED BELOW

Notice is hereby given by the respective Petitioners that they have filed Petitions for appointment of Personal Representatives in the following matters. These matters will be heard at 9:00 AM or as soon thereafter as they may be, on the 20th day of September, 2022. The requested appointments may be made on or after the hearing date, if no sufficient objection be heard. This notice complies with the requirements of 18-C M.R.S § 3-403 and Maine Probate Rule 4. (Do) shall show name of Petitioner and address and telephone number at which Petitioner or his attorney may be reached).

2022-286 JONATHAN WAYNE RIVARD, late of Lewiston, deceased. Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative, presented by Mitchell J. Tolkoff, Esq., 937 Main St., Lewiston, ME 04240-(207)784-1496, on behalf of Jaime Case, that she be appointed Personal Representative.

2022-325 08 Nil R. DUMAIS, late of Lisbon, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative or Both, presented by Daniel A. D'Auteuil, Jr., Esq., Skelton, Tanner & Abbott, 500 Canal St., Lewiston, ME 04240-(207)784-1200, on behalf of Alice R. Dumais, that he be appointed Personal Representative.

2022-331 DONALD RAYMOND DEAN, JR., late of Auburn, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative or Both, presented by Richard James Dean, 38 Moore Dr., Sabattus, ME 04280, (207)446-7939, that he be appointed Personal Representative.
Dated: August 26, 2022

/s/ Thomas Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
NOTICE TO CREDITORS
18-C M.R.S. §3-801(1)

The following Personal Representatives have been appointed in the Estates noted. The first publication date of this notice is August 26, 2022. If you are a creditor of an Estate listed below, you must present your claim within four months of the first publication date of this Notice to Creditors or be forever barred. You may present your claim by filing a written statement of your claim on a proper form with the Register of Probate of this Court or by delivering or mailing to the Personal Representative listed below at the address published by the Personal Representative's name a written statement of the claim indicating the basis therefore, the name and address of the claimant and the amount claimed or in such other manner as the law may provide. See 18-C M.R.S. §3-804.

2022-274 ARTHUR DIONNE, late of Lisbon, deceased. Jennifer M. Billings, 29 Main St., West Paris, ME 04289-5733, Personal Representative.

2022-154 RONALD (II) ANTHONY, late of Lewiston, deceased. Tasha Marie Massey, 256 CR 102, Berlinboro, AR 72404, Personal Representative.

2022-242 BRENDA N. DRAKES, late of Livermore Falls, deceased. Dexter Peters, 4 Maple St., Livermore Falls, ME 04254, Personal Representative.

2022-248 THOMAS P. O'CONNELL, SR., late of Wales, deceased. Kathleen O'Connell, 222 Ridge Rd., Wales, ME 04280, Personal Representative.

2022-278 BRIAN FRANCK, late of Auburn, deceased. Kathleen Ann Hammond, 1103 Minot Ave., Auburn, ME 04210, Personal Representative.

2022-321 JOHN MICHAEL LABBECQUE, late of Livermore Falls, deceased. Lorne Averill, 179 Union St., Milford, NH 03055, Personal Representative.

2022-346 DIANA S. RICHARDSON, late of Turner, deceased. Thaxton W. Richardson, Jr., 25 Pearl Rd., Turner, ME 04282, Personal Representative.

2022-349 BETSY ANNE DYKE, late of Lewiston, deceased. Benjamin Dyke, 22 Oakbow Dr., Lewiston, ME 04240, Personal Representative.

2022-350 SHARI WILLIAMS, late of Auburn, deceased. Dean Williams, 1 Madelyn St., Lisbon, ME 04257, Personal Representative.

2022-352 MARY E. LAWLOR, late of Auburn, deceased. Heidi McIntosh, 11 Julie St., Poland, ME 04274 and Donald Lawlor, 70 Hackett's Mill Rd., Poland, ME 04274, Personal Co-Representatives.

2022-353 LARRY CLINTON PETERSON, late of Leeds, deceased. Nancy Lael Peterson, 71 Kenney Rd., Leeds, ME 04263, Personal Representative.

2022-358 WILLIAM A. HODGKINS, late of Greene, deceased. Robert D. Hodgkins, 12 Tall Timber Rd., Greene, ME 04236, Personal Representative.

2022-368 HAROLD E. JOHNSON, late of Poland, deceased. Sarah Elizabeth Johnson, 7 Taballou Dr., Windham, ME 04062, Personal Representative.

2022-369 THELMA V. MEANOR, late of Greene, deceased. Tonya L. Robert, 56 West Shore Dr., Greene, ME 04236, Personal Representative.

2022-370 LESLIE F. JENKINS, JR., late of Auburn, deceased. Tricia M. Doane, 5 Carmel Ct., Auburn, ME 04210, Personal Representative.

2022-372 PHILIP WILLIAM ROBINSON, late of Turner, deceased. Ronald Robinson, 1048 Lake Auburn Dr., Green Cove Spri, FL 32043, Personal Representative.

2022-376 GAIL J. CAMERON, late of Livermore Falls, deceased. Kelly J. Dyer, 174 Foundry Rd., Livermore Falls, ME 04254, Personal Representative.

2022-377 TRACY L. SMITTER, late of Lisbon Falls, deceased. Timothy D. Lastiic, 20 Elizabeth Ave., Stanhope, NJ 07874, Personal Representative.

2022-378 DIANE I. GITZ, late of Livermore Falls, deceased. Ronald K. Longobardi, 4650 Tee Cir., Las Vegas, NV 89122, Personal Representative.

2022-379 LEONARD A. HUNTINGTON, late of Auburn, deceased. Tracy E. McCrill, 189 Dunhill Rd., Buxton, ME 04093, Personal Representative.

2022-382 RODNEY ARTHUR COURTIR, JR., late of Manchester Falls, deceased. Elizabeth Ann Courtier, 5 Potters Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-383 MADELEINE IRENE DIONNE, late of Minot (Falls), deceased. Ricky H. Dionne, 45 Saunders Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-386 JAMIE LEE HARDY, late of Lisbon Falls, deceased. Jamalyn Perez, 20 Oak St., Lisbon Falls, ME 04252, Personal Representative.

2022-387 NANCY D. BASLOW, late of Auburn, deceased. Bonnie Baslow Kaykendall, 10 Jackson Ave., Bethel, ME 04915, Personal Representative.

2022-388 PATRICIA A. NASH, late of Poland Spring, deceased. Karen Lee Benard, 1746 Bertram St., Honolulu, HI 96816, Personal Representative.

2022-389 STEPHEN J. CURTIS, late of Lisbon, deceased. Cynthia S. Malave, 129 Talbot Ave., Rockland, ME 04841, and Paul H. Curtis, 12 Everett Ave., Owls Head, ME 04854, Personal Co-Representatives.

2022-395 BRUCE DALE CLUKEY, late of Lisbon, deceased. Adam D. Cluley, 240 Bowdoinham Rd., Lisbon Falls, ME 04252, Personal Representative.

2022-397 HELDOR G. RICHARD, late of Auburn, deceased. Grace Bidwell, P.O. Box 210, Roxbury, ME 04275, Personal Representative.

2022-400 LORRAINE P. RAY, late of Auburn, deceased. Leslie Ellen Deschesne, 40 Canterbury Rd., Brewer, ME 04412, Personal Representative.

2022-401 JANA MARIE WHITTEN, late of Lewiston, deceased. Adrienne Marie Deschenes, 5 Carmel St., Apt 1E, Lewiston, ME 04240, Personal Representative.

2022-403 ROLAND ROGER DORE (III), late of Lewiston, deceased. Joyce H. Lepage, 495 Pond Rd., Lewiston, ME 04240, Personal Representative.

2022-406 DORIS H. ROBSHAW, late of Lisbon Falls, deceased. Raymond Lawrence Robshaw, 16 Front Hill Ave., Lisbon Falls, ME 04252, Personal Representative.

2022-408 CLARE LOVEJOY, late of Lewiston, deceased. Rachel Levesque, 8 Heathwood Dr., Lewiston, ME 04240, Personal Representative.

2022-410 NORMA J. LANE, late of Durham, deceased. Gary P. Lane, 141 Sunrise St., Lisbon Falls, ME 04252, and Carl Donald Lane, 1531 Boyinhorn Rd., Durham, ME 04222, Personal Co-Representatives.

2022-412 AUSTIN DANIEL BEAN, late of Leeds, deceased. Kendra Gendron, 1256 Lisbon St, Lewiston, ME 04240, Personal Representative.

2022-413 JEAN-PAUL L. LABONTE, late of Lewiston, deceased. Mark C. Labonte, 465 College St., Lewiston, ME 04240, Personal Representative.

2022-414 WILLIAM GEORGE HATCH, late of Wales, deceased. Shirley B. Hatch, 332 Leeds Jct. Rd., Wales, ME 04280, Personal Representative.

2022-415 PHILAMENA CHIAMWEGOTTI, late of Lewiston, deceased. Linda Marie Chiatwegotti, 167 Chicoine Ave., Auburn, ME 04210, Personal Representative.

2022-420 HENRY J. GILBERT, late of Lewiston, deceased. Lori Earley Gilbert, 60 Forest St., Lewiston, ME 04240, Personal Representative.

2022-422 IRENE C. GAGNE, late of Greene, deceased. Claire Gervais, 417 Last Rd., Wales, ME 04280-3132, and Gerald Gagne, 11 Mark St., Lewiston, ME 04240-2024, Personal Co-Representatives.

2022-423 ROBERT L. LAFLAMME, late of Greene, deceased. James LaBonne, 125 Wilkins Rd., Greene, ME 04236-3547, Personal Representative.

2022-431 ANNE R. BURTON, late of Auburn, deceased. Donna L. Eckman, 707 Lake Shore Dr., Auburn, ME 04210, Personal Representative.

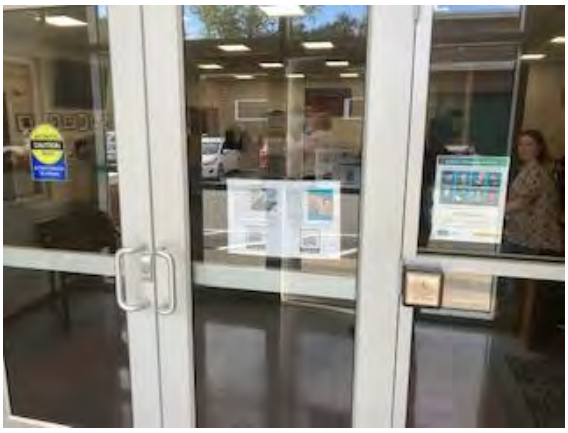
2022-235 DENNIS TREMBLAY, late of Sabattus, deceased. Erika E. Tremblay, 171 Middle Rd., Sabattus, ME 04280, Personal Representative.
Dated: August 26, 2022

/s/Tom Reynolds
Register of Probate

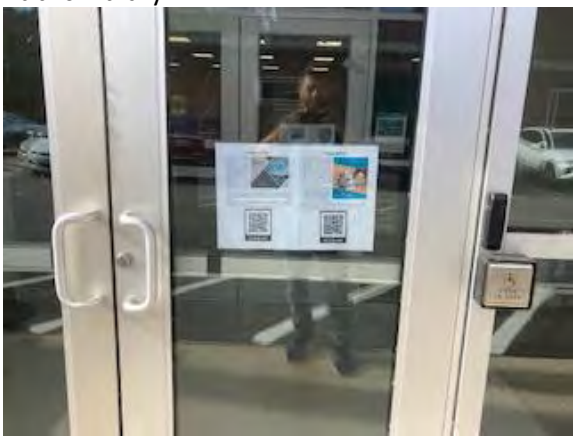
Public Notice Displays

P.A.L. Center

Public Library



Senior Center I



Senior Center II

Auburn Housing – Great Falls

City Hall

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes made to the city's program objectives during the program year.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

In 2020, due to the COVID-19 pandemic, HUD granted waivers in relation to several HOME regulatory requirements, including the requirement for on-site inspections and reviews. Most projects needing to be reviewed in 2020 were therefore deferred and will be completed once on-site reviews and inspections resume.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)

Property owners are required to have a Management Plan and a Marketing Plan that affirmatively furthers Fair Housing. The Owner is responsible for selecting residents in a nondiscriminatory manner. The Owner is also responsible for maintaining a written waiting list of applicants in accordance with the project's resident selection policies and criteria that comply with all federal and state laws prohibiting discrimination on the grounds of race, color, national origin, religion, sex, physical or mental handicap, sexual orientation, familial status, ancestry, and receipt of public assistance.

The city is renewing efforts to update its affirmative marketing plan to meet the changing needs of the community. This includes new avenues for outreach, translation, and accessibility services.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

HUD's IDIS PR-09 report demonstrated $126,907 in Program Income received from HOME projects.

These funds were reinvested in the Stay At Home Rental Assistance Program, new unit development at 48 Hampshire St and 477 Minot Ave.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

The city of Auburn fosters the development and maintenance of affordable housing through its Housing Development & rehab programs. These programs offer federal funds to developers or building owners for qualified expenses in exchange for ensuring units created or rehabbed remain affordable. Affordable rent requirements are capped at the Fair Market Rent (FMR) as established by HUD.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME	ESG	HOPWA	HTF

Table 14 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME	ESG	HOPWA	HTF

Table 15 – Qualitative Efforts - Number of Activities by Program

Narrative

Section 3 tracking and reporting was not conducted within the program year.

Attachments

PR26 for CDBG

PR26 - CDBG Financial Summary Report
Program Year 2020

PART I: SUMMARY OF CDBG RESOURCES	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	871,295.13
02 ENTITLEMENT GRANT	569,356.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	362,073.59
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	1,802,724.72
PART II: SUMMARY OF CDBG EXPENDITURES	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	840,054.09
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	840,054.09
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	145,102.20
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	985,156.29
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	817,568.43
PART III: LOW/MOD BENEFIT THIS REPORTING PERIOD	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	294,052.20
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	393,148.90
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	687,201.56
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	81.80%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	100,434.24
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	80,213.68
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	85,220.56
32 ENTITLEMENT GRANT	569,356.00
33 PRIOR YEAR PROGRAM INCOME	252,999.94
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	822,355.94
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	11.50%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	145,102.20
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	80,191.17
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 =LINE 40)	64,911.03
42 ENTITLEMENT GRANT	569,356.00
43 CURRENT YEAR PROGRAM INCOME	362,073.59
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	931,429.59
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	13.19%

LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Plan Year	IDIS Project	IDIS Activity	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	2	1689	81 Academy Street	14B	LMH	$15,000.00
2018	2	1705	75 Pleasant Street	14B	LMH	$1,435.60
2018	2	1724	117 High Street	14B	LMH	$3,131.25
2018	2	1725	47 Winter Street	14B	LMH	$238.00
2018	2	1726	77 Highland Avenue	14B	LMH	$2,350.00
2018	2	1727	83 Summer Street	14B	LMH	$1,200.00
2018	2	1733	76 Newbury Street	14B	LMH	$10.00
2019	2	1728	82-84 Dennison Street	14B	LMH	$20,573.75
2019	2	1736	95 Western Ave	14B	LMH	$7,975.00
2019	2	1759	60 Elm Street	14B	LMH	$9,448.75
2019	2	1761	9 Library Avenue	14B	LMH	$1,175.00
2019	2	1762	14-16 Elm Street	14B	LMH	$24,500.00
2019	2	1766	63 Goff Street	14B	LMH	$25,000.00
2020	5	1767	17 Laurel Avenue	14B	LMH	$19,500.00
2020	5	1769	25 Garnage Avenue	14B	LMH	$58,250.00
2020	5	1774	191 Third Street	14B	LMH	$45,146.70
2020	5	1775	93 Newbury Street	14B	LMH	$19,952.00
2020	5	1779	41 Third Street	14B	LMH	$13,720.00
2020	5	1780	416-418 Turner Street	14B	LMH	$13,109.80
				14B	Matrix Code	$272,725.65
2019	2	1740	Administration of Housing Rehab Programs	14H	LMH	$37,250.96
				14H	Matrix Code	$37,250.96
Total						$309,976.61

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	15	1710	6401440	Senior Center Reconstruction	03A	LMC	$25,292.31
					03A	Matrix Code	$25,292.31
2020	6	1788	6461450	Boys and Girls Club Roof	03D	LMC	$39,209.77
2020	6	1788	6472175	Boys and Girls Club Roof	03D	LMC	$16,133.08
					03D	Matrix Code	$55,342.75
2020	12	1810	6486704	New Auburn Anniversary Park	03E	LMA	$9,132.02
					03E	Matrix Code	$9,132.02
2020	7	1789	6472175	New Auburn Crosswalk	03K	LMA	$45,000.00
					03K	Matrix Code	$45,000.00
2019	4	1758	6401440	Whitney Street Community Garden	03Z	LMA	$1,430.47
2019	4	1758	6466704	Whitney Street Community Garden	03Z	LMA	$108.95
2019	4	1758	6468818	Whitney Street Community Garden	03Z	LMA	$68.27
2019	4	1758	6473717	Whitney Street Community Garden	03Z	LMA	$1,780.55
2019	4	1758	6475171	Whitney Street Community Garden	03Z	LMA	$2,235.75
2019	4	1758	6530513	Whitney Street Community Garden	03Z	LMA	$3,865.25
					03Z	Matrix Code	$9,579.24
2019	5	1746	6468156	Auburn Police Dept - Work With Me Program	05D	LMC	$47,109.00
2019	5	1800	6465155	Auburn Recreation Department Scholarships	05D	LMC	$15,000.00
2020	9	1803	6530545	Auburn Recreation Department Scholarships	05D	LMC	$12,000.00
2020	9	1805	6474895	Auburn Police Department - Work With Me Program	05D	LMC	$8,853.43
2020	9	1805	6530545	Auburn Police Department - Work With Me Program	05D	LMC	$31,050.72
2020	9	1807	6468818	Community Youth Services	05D	LMC	$1,000.00
2020	9	1807	6472175	Community Youth Services	05D	LMC	$1,000.00
2020	9	1807	6474895	Community Youth Services	05D	LMC	$3,000.00
2020	9	1807	6530545	Community Youth Services	05D	LMC	$6,000.00
					05D	Matrix Code	$124,009.15
2019	10	1747	6401440	Safe Voices	05G	LMC	$9,359.25
2020	9	1809	6468818	Safe Voices	05G	LMC	$3,324.86
2020	9	1809	6474895	Safe Voices	05G	LMC	$2,266.00
2020	9	1809	6530545	Safe Voices	05G	LMC	$4,409.14
					05G	Matrix Code	$19,359.25
2019	5	1748	6401440	Androscoggin Head Start-Promise Early Education	05L	LMC	$2,500.00
2019	5	1748	6465136	Androscoggin Head Start-Promise Early Education	05L	LMC	$1,233.36
2019	5	1748	6465138	Androscoggin Head Start-Promise Early Education	05L	LMC	$3,799.64
2020	9	1804	6468818	Androscoggin Head Start-Promise Early Education	05L	LMC	$2,000.00
2020	9	1804	6474895	Androscoggin Head Start-Promise Early Education	05L	LMC	$2,000.00

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	9	1804	6530545	Androscoggin Head Start-Promise Early Education	05L	LMC	$4,000.00
					05L	Matrix Code	$15,500.00
2019	5	1748	6401440	Literacy Volunteers	05Z	LMC	$6,593.80
2019	10	1752	6401440	Tedford Housing- Franklin School Apartments	05Z	LMC	$2,905.84
2019	10	1752	6485136	Tedford Housing- Franklin School Apartments	05Z	LMC	$1,750.00
2020	9	1802	6472173	Literacy Volunteers	05Z	LMC	$2,246.40
2020	9	1802	6474895	Literacy Volunteers	05Z	LMC	$2,073.60
2020	9	1802	6530545	Literacy Volunteers	05Z	LMC	$2,246.40
2020	9	1808	6468518	Tedford Housing - Franklin School Apartments	05Z	LMC	$1,750.00
2020	9	1808	6474895	Tedford Housing - Franklin School Apartments	05Z	LMC	$1,750.00
2020	9	1808	6530545	Tedford Housing - Franklin School Apartments	05Z	LMC	$5,250.00
					05Z	Matrix Code	$26,565.84
2019	2	1753	6401440	95 Winter Street	14A	LMH	$1,077.42
2019	2	1753	6472154	95 Winter Street	14A	LMH	$4,315.92
2019	2	1753	6475160	95 Winter Street	14A	LMH	$10,860.00
2019	2	1753	6475171	95 Winter Street	14A	LMH	$5,340.00
2019	2	1753	6475447	95 Winter Street	14A	LMH	$100.00
2019	2	1764	6468704	153 Sixth Street	14A	LMH	$10,000.00
					14A	Matrix Code	$37,693.34
2020	8	1765	6485136	Kiddie Cove Daycare, LLC	18A	LMJ	$5,382.67
2020	8	1765	6486704	Kiddie Cove Daycare, LLC	18A	LMJ	$17,938.92
2020	8	1765	6468518	Kiddie Cove Daycare, LLC	18A	LMJ	$2,353.41
					18A	Matrix Code	$25,675.00
Total							$393,148.90

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
2019	5	1746	6485156	No	Auburn Police Dept - Work With Me Program	B18MC230001	EN	05D	LMC	$47,105.00
2019	5	1800	6485156	No	Auburn Recreation Department Scholarships	B15MC230001	EN	05D	LMC	$15,000.00
2020	9	1803	6530545	No	Auburn Recreation Department Scholarships	B15MC230001	EN	05D	LMC	$131.25
2020	9	1803	6530545	No	Auburn Recreation Department Scholarships	B16MC230001	EN	05D	LMC	$9,725.89
2020	9	1803	6530545	No	Auburn Recreation Department Scholarships	B17MC230001	EN	05D	LMC	$2,142.86
2020	9	1805	6474895	No	Auburn Police Department - Work With Me Program	B17MC230001	EN	05D	LMC	$3,647.08
2020	9	1805	6474895	No	Auburn Police Department - Work With Me Program	B18MC230001	EN	05D	LMC	$5,306.38
2020	9	1805	6530545	No	Auburn Police Department - Work With Me Program	B17MC230001	EN	05D	LMC	$23,724.73
2020	9	1805	6530545	No	Auburn Police Department - Work With Me Program	B18MC230001	EN	05D	LMC	$7,326.99
2020	9	1807	6468518	No	Community Youth Services	B17MC230001	EN	05D	LMC	$1,000.00
2020	9	1807	6472173	No	Community Youth Services	B20MC230001	PI	05D	LMC	$1,000.00
2020	9	1807	6474895	No	Community Youth Services	B17MC230001	EN	05D	LMC	$3,000.00
2020	9	1807	6530545	No	Community Youth Services	B18MC230001	EN	05D	LMC	$5,000.00
								05D	Matrix Code	$124,009.18
2019	10	1747	6401440	No	Safe Voices	B19MC230001	PI	05G	LMC	$9,359.25
2020	9	1809	6468518	No	Safe Voices	B17MC230001	EN	05G	LMC	$3,324.86
2020	9	1809	6474895	No	Safe Voices	B19MC230001	EN	05G	LMC	$2,266.09
2020	9	1809	6530545	No	Safe Voices	B15MC230001	EN	05G	LMC	$2,073.60
2020	9	1809	6530545	No	Safe Voices	B17MC230001	EN	05G	LMC	$2,335.54
								05G	Matrix Code	$19,359.25
2019	5	1748	6401440	No	Androscoggin Head Start-Promise Early Education	B18MC230001	PI	05L	LMC	$2,500.00
2019	5	1748	6485136	No	Androscoggin Head Start-Promise Early Education	B20MC230001	PI	05L	LMC	$1,231.36
2019	5	1748	6485136	No	Androscoggin Head Start-Promise Early Education	B20MC230001	EN	05L	LMC	$3,768.64
2020	9	1804	6468518	No	Androscoggin Head Start-Promise Early Education	B17MC230001	EN	05L	LMC	$2,000.00
2020	9	1804	6474895	No	Androscoggin Head Start-Promise Early Education	B17MC230001	EN	05L	LMC	$2,000.00
2020	9	1804	6530545	No	Androscoggin Head Start-Promise Early Education	B17MC230001	EN	05L	LMC	$4,000.00
								05L	Matrix Code	$15,500.00
2019	5	1749	6401440	No	Literacy Volunteers	B19MC230001	PI	05Z	LMC	$6,593.80
2019	10	1752	6401440	No	Tedford Housing- Franklin School Apartments	B19MC230001	PI	05Z	LMC	$2,905.84
2019	10	1752	6485136	No	Tedford Housing- Franklin School Apartments	B20MC230001	PI	05Z	LMC	$1,750.00
2020	9	1802	6472173	No	Literacy Volunteers	B20MC230001	PI	05Z	LMC	$2,246.40
2020	9	1802	6474895	No	Literacy Volunteers	B15MC230001	EN	05Z	LMC	$2,073.60
2020	9	1802	6530545	No	Literacy Volunteers	B15MC230001	EN	05Z	LMC	$1,606.40
2020	9	1802	6530545	No	Literacy Volunteers	B16MC230001	EN	05Z	LMC	$640.00
2020	9	1808	6468518	No	Tedford Housing - Franklin School Apartments	B17MC230001	EN	05Z	LMC	$1,750.00
2020	9	1808	6474895	No	Tedford Housing - Franklin School Apartments	B17MC230001	EN	05Z	LMC	$1,750.00
2020	9	1808	6530545	No	Tedford Housing - Franklin School Apartments	B17MC230001	EN	05Z	LMC	$5,250.00
								05Z	Matrix Code	$26,565.84

Office of Community Planning and Development
U.S. Department of Housing and Urban Development
Integrated Disbursement and Information System
PR26 - CDBG Financial Summary Report
Program Year 2020
AUBURN , ME

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Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
				No	Activity to prevent, prepare for, and respond to Coronavirus					$185,434.24
Total										$185,434.24

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2019	1	1738	6472173	Administration – Salaries	21A		$45,816.02
2019	1	1739	6401452	Administration – Goods and Services	21A		$4,575.15
2020	10	1785	6464132	Administration Auburn CDBG - Salaries	21A		$6,120.32
2020	10	1785	6485136	Administration Auburn CDBG - Salaries	21A		$5,240.20
2020	10	1785	6486704	Administration Auburn CDBG - Salaries	21A		$6,094.97
2020	10	1785	6488618	Administration Auburn CDBG - Salaries	21A		$6,088.52
2020	10	1785	6472173	Administration Auburn CDBG - Salaries	21A		$5,246.75
2020	10	1785	6473217	Administration Auburn CDBG - Salaries	21A		$6,476.58
2020	10	1785	6474895	Administration Auburn CDBG - Salaries	21A		$6,041.34
2020	10	1785	6475171	Administration Auburn CDBG - Salaries	21A		$5,580.89
2020	10	1785	6530437	Administration Auburn CDBG - Salaries	21A		$30,948.26
2020	10	1786	6464132	Administration Auburn CDBG - Goods & Services	21A		$40.01
2020	10	1786	6485136	Administration Auburn CDBG - Goods & Services	21A		$347.29
2020	10	1786	6486704	Administration Auburn CDBG - Goods & Services	21A		$610.81
2020	10	1786	6488618	Administration Auburn CDBG - Goods & Services	21A		$1,606.30
2020	10	1786	6472173	Administration Auburn CDBG - Goods & Services	21A		$736.67
2020	10	1786	6473217	Administration Auburn CDBG - Goods & Services	21A		$840.88
2020	10	1786	6474895	Administration Auburn CDBG - Goods & Services	21A		$475.01
2020	10	1786	6475171	Administration Auburn CDBG - Goods & Services	21A		$668.19
2020	10	1786	6530437	Administration Auburn CDBG - Goods & Services	21A		$9,929.44
					21A	Matrix Code	$145,102.20
Total							$145,102.20

PR26 for CDBG-CV

Office of Community Planning and Development
U.S. Department of Housing and Urban Development
Integrated Disbursement and Information System
PR26 - CDBG-CV Financial Summary Report
AUBURN , ME

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PART I: SUMMARY OF CDBG-CV RESOURCES	
01 CDBG-CV GRANT	472,917.00
02 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
03 FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
04 TOTAL AVAILABLE (SUM, LINES 01-03)	472,917.00
PART II: SUMMARY OF CDBG-CV EXPENDITURES	
05 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	273,533.03
06 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	5,369.51
07 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
08 TOTAL EXPENDITURES (SUM, LINES 05 - 07)	278,902.54
09 UNEXPENDED BALANCE (LINE 04 - LINE8)	194,014.46
PART III: LOWMOD BENEFIT FOR THE CDBG-CV GRANT	
10 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
11 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
12 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	273,533.03
13 TOTAL LOW/MOD CREDIT (SUM, LINES 10 - 12)	273,533.03
14 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 05)	273,533.03
15 PERCENT LOW/MOD CREDIT (LINE 13/LINE 14)	100.00%
PART IV: PUBLIC SERVICE (PS) CALCULATIONS	
16 DISBURSED IN IDIS FOR PUBLIC SERVICES	96,350.35
17 CDBG-CV GRANT	472,917.00
18 PERCENT OF FUNDS DISBURSED FOR PS ACTIVITIES (LINE 16/LINE 17)	20.37%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
19 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	5,369.51
20 CDBG-CV GRANT	472,917.00
21 PERCENT OF FUNDS DISBURSED FOR PA ACTIVITIES (LINE 19/LINE 20)	1.14%

LINE 10 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 10

Report returned no data.

LINE 11 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 11

Report returned no data.

LINE 12 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 12

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	1	1771	6530509	CV - Farmer's Market Market Bucks	05Z	LMC	$1,310.00
		1793	6475942	CV - Grab & Go Grocery	05W	LMC	$16,937.28
			6530509	CV - Grab & Go Grocery	05W	LMC	$16,465.78
			6647654	CV - Grab & Go Grocery	05W	LMC	$14,775.99
			6662673	CV - Grab & Go Grocery	05W	LMC	$7,482.00
		1795	6530509	CV - Senior Care Packages	05A	LMC	$4,820.55
			6647652	CV - Senior Care Packages	05A	LMC	$3,708.75
		1796	6475942	CV - Senior Center Generator & Refrigeration	03A	LMC	$21,004.73
			6530509	CV - Senior Center Generator & Refrigeration	03A	LMC	$19,465.26
		1799	6475942	Pal Center Generator Walk-In Refrigeration	03Z	LMC	$57,457.19
			6530509	Pal Center Generator Walk-In Refrigeration	03Z	LMC	$36,755.50
	2	1777	6475942	CV - Auburn Cleaning Center	18A	LMJ	$20,000.00
		1782	6475942	CV - Stepladder Enterprize	18C	LMJ	$7,500.00
		1783	6475942	CV - A1 Superior Cleaning	18C	LMJ	$7,500.00
		1841	6662675	CV- Micro-Enterprise Loans	18C	LMJ	$7,500.00
	3	1818	6530509	CV- Recreation Scholarships	05D	LMC	$30,850.00
Total							$273,533.03

LINE 16 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 16

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	1	1771	6530509	CV - Farmer's Market Market Bucks	05Z	LMC	$1,310.00
		1793	6475942	CV - Grab & Go Grocery	05W	LMC	$16,937.28
			6530509	CV - Grab & Go Grocery	05W	LMC	$16,465.78
			6647654	CV - Grab & Go Grocery	05W	LMC	$14,775.99
			6662673	CV - Grab & Go Grocery	05W	LMC	$7,482.00
		1795	6530509	CV - Senior Care Packages	05A	LMC	$4,820.55
			6647652	CV - Senior Care Packages	05A	LMC	$3,708.75
	3	1818	6530509	CV- Recreation Scholarships	05D	LMC	$30,850.00
Total							$96,350.35

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	4	1798	6475942	CV Admin	21A		$3,665.68
			6530509	CV Admin	21A		$180.47
			6647651	CV Admin	21A		$1,058.50
			6662672	CV Admin	21A		$464.86
Total							$5,369.51

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **PUBLIC HEARING**

Author: Glen E. Holmes, Director of Business & Community Development

Subject: CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021

Information:
Each year the Community Development office presents the Consolidated Annual Performance Evaluation Report (CAPER), detailing the use of Auburn's CDBG funds & the Auburn-Lewiston Consortium's HOME funds. This report compares actual impact numbers to expectations set within the 5-year Consolidated Plan which was adopted in 2020. This report represents the second year of the 5-year plan.

Programs focused on Public Service again exceeded expectation and were made possible by additional funding provided for Covid-19 response and relief. Programs which came in under expectation included activities such as home rehab, public infrastructure and tenant based Rental assistance as project were put on hold due to the pandemic, or additional programs filled the needs gap (such as the Emergency Rental Assistance program).

City Budgetary Impacts:
CDBG funds expended during this program year totaled $579,052. Home Funds expended totaled $158,283. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action: Hold Public Hearing.

Previous Meetings and History: Public Comment Period September 1-19th, 2022

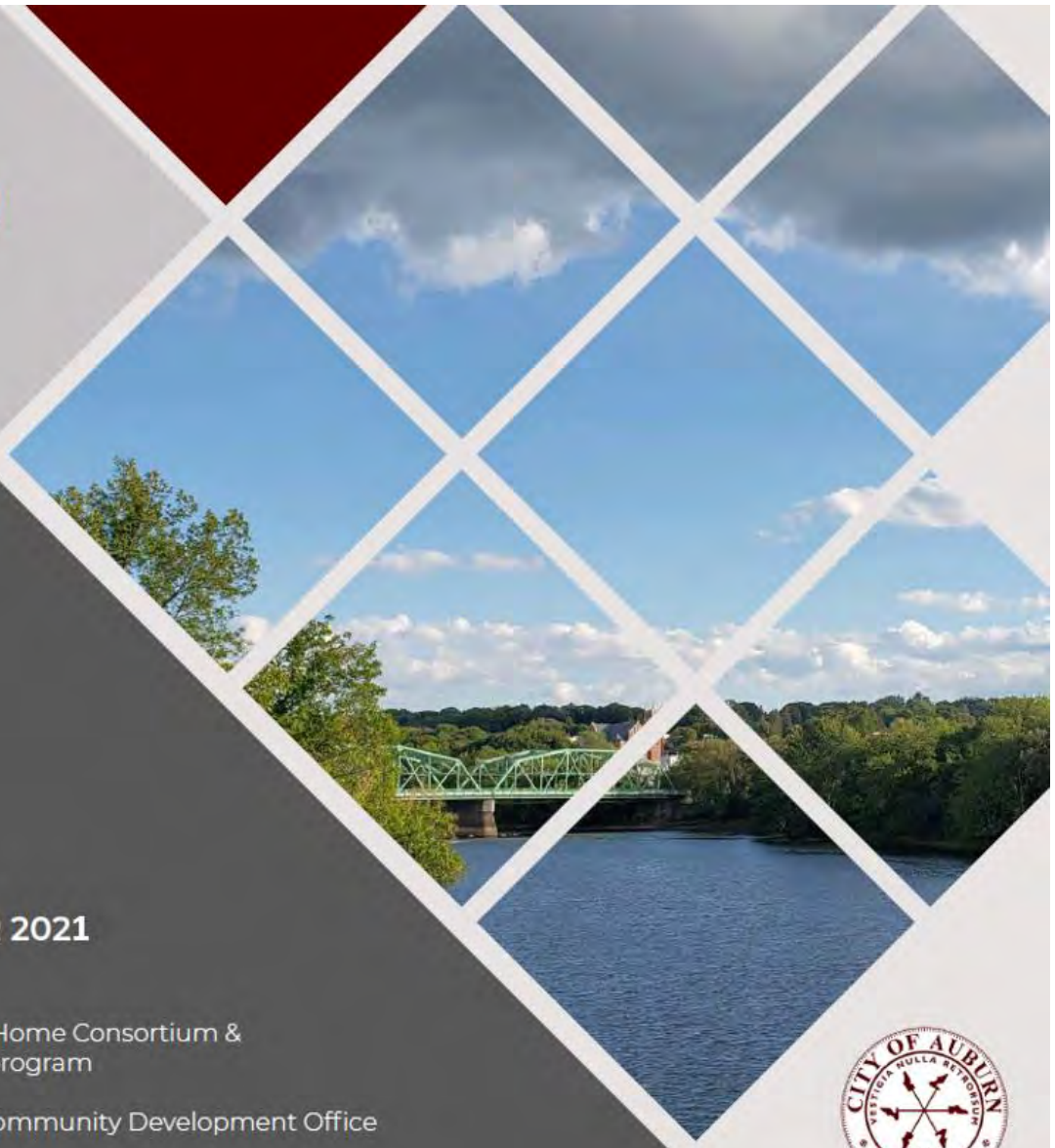
City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021

City of Auburn

Consolidated Annual Performance Report (CAPER)



PROGRAM YEAR 2021

On behalf of:

The Auburn-Lewiston Home Consortium &
City of Auburn CDBG program

Prepared by Auburn Community Development Office

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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City of Auburn receives annual allocations from the U. S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program and the HOME Investment Partnership (HOME) program. The national purpose of the CDBG program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities principally for persons of low and moderate income. The national purpose of the HOME program is to create affordable housing for low-income households.

This Consolidated Annual Performance Evaluation Report (CAPER) covers the use of HOME funds for both Auburn & Lewiston, CDBG funds for Auburn and leveraged funds for the period of July 1, 2021, through June 30, 2022. Objectives and expectations for HOME & CDBG funds have been identified through the Consolidated Plan process conducted for program years 2020-2024. The Annual Action Plan referenced within established 1 year performance measures and how identified objectives to be met for each year of the Consolidated Plan.

The Auburn Community Development Office (ACDO) worked with HUD staff to correct previous year's financial and project reporting data and will re-release the 2020 CAPER in tandem with this report. Through this process it was necessity to conduct extensive internal quality control checks to re-qualify multiple projects. A limited number of projects, which had already begun or had been completed prior to PY21 have now been deemed to be out of compliance with HUD requirements. For cases which cannot be brought into compliance the City of Auburn will be seeking to complete a Voluntary Grant Reduction (VGR) from future allocations. This process required ACDO staff to revise previous year's impact numbers contained within the CAPERs by removing projects which were deemed non-compliant with HUD requirements. The result is a reduction in not only PY21 impact metrics but in the PY20 & PY19 previously reported performance reports.

During PY21 ACDO brought on and trained an entirely new staff as well as embraced extensive Technical Assistance which was provided and paid for by HUD in order to develop and approve a new set of policies and procedures. This process, although greatly beneficial, significantly affected the outcomes contained in this report. Dramatic increases in building materials and a lack of qualified contractors added to the low housing rehab numbers. However, unexpected progress has been made to address Consolidated Plan priorities and objectives. The added impact numbers from CDBG-CV programming increased and offset the overall effectiveness of program deliverables.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Improve Infrastructure and reduce blight	Non-Housing Community Development	CDBG: $ / HOME: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	3000	2020	67.33%			
Improve Infrastructure and reduce blight	Non-Housing Community Development	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		1000	43	4.30%
Promote Economic Opportunities	Non-Housing Community Development	CDBG: $ / HOME: $	Jobs created/retained	Jobs	10	11	110.00%	0	5	
Promote Economic Opportunities	Non-Housing Community Development	CDBG: $ / HOME: $	Businesses assisted	Businesses Assisted	10	7	70.00%	6	3	50.00%

Provide Essential Services	Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1200	1584	132.00%	520	600	115.38%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Rental units rehabilitated	Household Housing Unit	100	5	5.00%	25	2	8.00%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Homeowner Housing Rehabilitated	Household Housing Unit	50	15	30.00%	10	5	50.00%
Provide Safe and Affordable Housing	Affordable Housing Public Housing Homeless Non-Homeless Special Needs	CDBG: $ / HOME: $	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	125	20	16.00%	30	1	3.33%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The specific objectives identified within the PY21 Action Plan are four-fold, and outlined below:

Provide Safe and Affordable Housing: The city of Auburn continued to use CDBG funds in the rehabilitation of LMI qualified residents. These funds have also been used to leverage additional Lead Abatement funds sourced from a newly received grant from the Office of Lead Hazard Control & Health Homes.

Improve Public Infrastructure: This program year saw the completion of the final of 3 public community gardens. Additional activities began within this program year but are not expected to be completed until PY22. The impact from these efforts will be recognized within the PY22 CAPER.

Promote Economic Opportunities: This program year saw two job creation loans made to two LMI owned businesses under the outdated STAR loan program. New microloan programs and support programs for businesses affected by Covid-19 continued during PY21.

Provide Essential Services: During this program year the city provided CDBG funds to 8 sub-recipients for the purposes of providing essential Public Services to LMI residents of Auburn. These included Literacy Volunteers, Community Youth Services and Androscoggin Head Start and are crucial to the success of families who are struggling with the issues of poverty. The Recreation Scholarship Program is funded to aid LMI families by offering valuable summer camp experiences for area youth. This program provides greater diversity within the campers as well as making it possible for parents to work, look for employment and better their financial situations.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG	HOME
White	570	88
Black or African American	99	4
Asian	13	0
American Indian or American Native	1	2
Native Hawaiian or Other Pacific Islander	1	0
Total	**684**	**94**
Hispanic	20	1
Not Hispanic	664	93

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The total population for the city of Auburn is 24,033 and 2021 census data shows that 90% of the population is white, 1.3% is Black or African American and 1.4% Asian. The analysis of CDBG impact by population demonstrates that 83% of the recipients were white, 14% were black and 1.9% Asian. Home Funds spent by population demonstrates that 93% of the recipients were white, 4.2% were black and 2.1% Native American.

Some activities funded through PY21 CDBG funds fall under the category of 'area wide benefit', activities that fall under this category have a higher-than-average impact per activity but do not collect the racial and ethnic composition of the people served. The location of these 'area wide benefit' projects are reserved for qualified Low-to-moderate income qualified census tracts, which trend higher than average racial and ethnic composition of the city or serve a more diverse population than the makeup of Auburn as a whole. Demographic makeup of the city is evolving but data suggest that further improvements to the cities affirmative marketing plan and community outreach is needed.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,051,858	579,052
HOME	public - federal	1,803,240	158,283

Table 3 - Resources Made Available

Narrative

The city spent substantial time re-qualifying recent projects and preparing work-out recommendations for non-compliant projects. Additionally, many activities that carried over from the previous fiscal year that were delayed due to the pandemic, or otherwise delayed by the contractors, were canceled due to non-performance. This kept the expended amount during the program year lower than expected.

There was also a considerable amount of unexpected Program Income recorded this year. This was due in part to multiple units being sold prior to the end of their affordability period as well as a more consistent enforcement of refinance policies by administration.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description

Table 4 – Identify the geographic distribution and location of investments

Narrative

The 2020-24 Consolidated Plan did not provide for a target area of focus, but instead categorized activities under a city-wide lens. Because of this the data provided by the IDIS reporting system did not track such information.

Under the most recent Action Plan there is a designated target area of focus for future projects. This area consists of Census tracts 101, 103 & 105, which are qualified as being 51% or more Low-to-Moderate Income in the 2015 American Community Survey (ACS) Census 2010.

During this program year there were no publicly owned land utilized to fulfil the needs identified within the Consolidated Plan.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The city tracks available match carried forward from previous years. For this year the city has an available carry forward of $1,351,209 in match. The City also received approval of a match waiver allowing this amount to be carried forward for another year.

City programs leverage additional federal, state or private funds by requiring matching funds be provided by homeowners and non-LMI multi-unit owners. These match requirements average 20% of project costs.

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	1,351,210
2. Match contributed during current Federal fiscal year	0
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	1,351,210
4. Match liability for current Federal fiscal year	0
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	1,351,210

Table 5 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	**Date of Contribution**	**Cash (non-Federal sources)**	**Foregone Taxes, Fees, Charges**	**Appraised Land/Real Property**	**Required Infrastructure**	**Site Preparation, Construction Materials, Donated labor**	**Bond Financing**	**Total Match**

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period $	**Amount received during reporting period $**	**Total amount expended during reporting period $**	**Amount expended for TBRA $**	**Balance on hand at end of reporting period $**
163,722	75,262	22,375	0	216,609

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	**Minority Business Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Contracts						
Dollar Amount	0	0	0	0	0	0
Number	0	0	0	0	0	0
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

	Total	**Women Business Enterprises**	**Male**
Contracts			
Dollar Amount	0	0	0
Number	0	0	0
Sub-Contracts			
Number	0	0	0
Dollar Amount	0	0	0

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	**Minority Property Owners**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition		
Parcels Acquired	0	0
Businesses Displaced	0	0
Nonprofit Organizations Displaced	0	0
Households Temporarily Relocated, not Displaced	0	0

Households Displaced	**Total**	**Minority Property Enterprises**				**White Non-Hispanic**
		Alaskan Native or American Indian	**Asian or Pacific Islander**	**Black Non-Hispanic**	**Hispanic**	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	35	1
Number of Non-Homeless households to be provided affordable housing units	120	7
Number of Special-Needs households to be provided affordable housing units	0	0
Total	**155**	**8**

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	35	1
Number of households supported through The Production of New Units	85	0
Number of households supported through Rehab of Existing Units	35	7
Number of households supported through Acquisition of Existing Units	0	0
Total	**155**	**8**

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The one-year goal for HOME programs is established in the 2021 Annual Action Plan. The HOME Data in the table above is populated from the HUD IDIS system, which may not include all activities covered by this report. The data above is only from the HOME activities completed in project year 2021. Some activities were begun in the previous program years and closed out within 2021. Similarly, some activities have begun in Program year 2021 but are not yet complete.

Additionally, the impacts of the Covid-19 pandemic, related increase in construction costs, limited availability of contractors and eviction moratoriums impacted the city's ability to meet goals and complete projects as expected.

During the Pandemic the city provided extra focus on addressing "worst case needs". Additional support was provided through the Emergency Rental assistance (ERA) program operated by a local community Action program. These low-income renters are traditionally burdened by paying more than half of their monthly income towards rent, homeless or currently housed in substantially substandard housing.

Tenants in substandard housing are served by the CDBG Emergency repair program. Of the rehab projects completed within the program year 15 of 22 units were housed by tenants who qualify as Low-to-Moderate income.

These multi-unit rental rehab projects are intended to foster and maintain affordable housing stock within Auburn by providing financial resources to landlords for qualified repairs in exchange for maintaining affordable rents within rehabbed units. This affordability period length differs based on the amount of federal subsidy, but caps monthly rent at Fair Market Rent (FMR) standards as posted by HUD each year.

Discuss how these outcomes will impact future annual action plans.

The ability for a person to find safe, quality, affordable housing is becoming increasingly difficult across Maine. Prior to the Covid-19 Pandemic, the housing market in the region was tight, this has gotten significantly worse and spread further out into the rest of the County. In future action plans, the need to create more affordable housing and offer more services to help individuals find quality housing will become ever more important. The Consortium will consider these outcomes when establishing the goals of the 2023 Action Plan.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	2
Low-income	66	5
Moderate-income	2	1
Total	**68**	**8**

Table 13 – Number of Households Served

Narrative Information

Historically, Home funds had been reserved for single family residences. This posed problematic for a hand full of projects as the homes needed substantial additional resources above the max allowable home funds to achieve the necessary Auburn Rehab standards. Meanwhile, CDBG funds are used on multi-unit rehab projects. To qualify a multi-unit building for rehab a minimum of 51% of the tenants need to qualify as LMI.

Additional efforts are being undertaken to maintain and preserve affordable housing through the Lead & Healthy Homes program. This program provides grants to homeowners and landlords to improve living standards by removing lead hazards. All units utilizing this program must be occupied by low-to-moderate income families or be made available to LMI tenants in the future. This program, which leverages CDBG funds to cover income qualifying homeowners required match funding, provides for an affordability period in which max rent rates are monitored to assure affordability. Each new unit rehabbed creates 1 new affordable unit within the city.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Maine Continuum of Care's outreach plan is supported in coordination with the Department of Health and Human Services (DHHS) Projects for Assistance in Transition from Homelessness (PATH) grantees. The goal of these outreach efforts is to engage individuals who are unsheltered, assess their immediate needs and health care concerns, determine their eligibility for MaineCare and other services, and transition them to a community provider for ongoing assistance.

The Maine CoC concluded the redesign of its Coordinated Entry System in 2020 and has coordinated with the Maine Statewide Homeless Council to redesign the homelessness response system in Maine around local service hubs. When implemented, these hubs will include outreach providers who will be able to directly with shelter and housing providers in their area.

Internally, Auburn's Community Development office now houses the City General Assistance Administrator as well as the Public Health Officer. These positions are working proactively with the city police and EMTs to develop new resources for first responders to house homeless individuals in distress or rehouse individuals after an adverse experience that would otherwise lead to homelessness.

Both the General Assistance Administrator & the City Public Health Officer are active members of the Lewiston Auburn Alliance of Services to the Homeless (LAASH). LAASH has been working in the Lewiston Auburn area for 25 years and meets monthly to focus on local homeless issues. It is currently working on continuum of care issues and provides a forum for educating its members about available resources.

During this program year substantial outreach was conducted for the HOME-ARP plan development. This outreach focused on qualifying the unmet needs of the Homeless and at-risk populations. The adoption of the HOME-ARP plan early in Program year 2022 will dramatically increase Auburn's effectiveness in serving this population.

Addressing the emergency shelter and transitional housing needs of homeless persons

Maine continues to address both emergency shelter and transitional housing needs of persons who are homeless through the direction and advocacy of the Maine Continuum of Care and the Maine Statewide Homeless Council. Maine utilizes ESG funding to support 36 shelters across the state, including adult individual, family, youth, and domestic violence shelters. Unfortunately, most local shelters are not funded by Maine Housing Authority. Instead, the city utilizes portions of its Public Service allocation of funds to provide some financial support to these programs. One such organization is Safe Voices, a

domestic violence response organization that provides assistance including re-housing and homelessness diversion programs. One such organization is Safe Voices, a domestic violence response organization that provides assistance including re-housing and homelessness diversion programs.

Substantial consultation was conducted during PY21 in preparation of the HOME-ARP plan. This plan is expected to be implemented early in PY22.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Statewide Homeless Council continues to work with the Department of Corrections to implement the Maine Criminal Justice System Blueprint for Ending and Preventing Homelessness, which seeks to prevent inmates from being released into homelessness. A similar Blueprint for Ending Homelessness with DHHS is used to address discharge planning from state-run mental health facilities.

During PY21 the Emergency Rental Assistance (ERA) program serviced over 1,118 non duplicated households via services provided by Community Concepts inc. Additional improvements to the Auburn Security Deposit program guidelines increased compliance with HUD regulations, but disbursement of funds was hampered by the Fair Market Rent (FMR) caps established by HUD in light of the dramatic increase of market rent. Many landlords were not interested in entertaining a program which capped their rent for such at such a reduced rate.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Community Development staff, specifically the Public Health Officer and General Assistance Administrator work in cooperation with the School Department, Police & Fire departments as well as local non-profits such as Safe Voices and New Beginnings. This integration of services allows for more direct hand-offs of residents in need and various service providers.

The Community Development team was recently awarded $1.7 Million in a new, 1 time allocation of HOME-ARP funds. The plan currently being developed for both Auburn & Lewiston around these funds are targeted specifically towards meeting the needs of homelessness, homelessness prevention and

additional qualified populations. Planning and consultations were conducted during PY21, but final approval of the workplan will commence early in PY22.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City of Auburn works closely with the Auburn Housing Authority (AHA) on the promotion and development of affordable housing. During this program year AHA increased their payment standards within the section 8 voucher program up to 110% of Fair Market Rent. This increase is to assist qualified renters be able to find and afford housing in the face of increasing rental rates and limited supply of available units.

MaineHousing Family Self-Sufficiency (FSS) staff continue to lead statewide efforts to improve processes and evaluation of the program among those PHAs who administer it, along with bringing together all other PHA FSS staff to assess and respond to new HUD program regulations. Along with Portland HA, MaineHousing is a member of the National FSS Network through a partnership with Compass Working Capital.

Auburn Housing Authority has increased its efforts to convert their operation to voucher based support. Increased efforts to support the development of privately built units which could employ housing vouchers continues.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

City continues to provide down payment assistance to first-time homebuyers who meet income requirements.

The city, along with Auburn Housing staff, also met with multiple Co-op and Resident Owned community planning organizations. The goal is to involve a 3rd party organization in the new Fern St development, who can provide on-going technical assistance to the resident-owners of the new development. This project is expected to be completed within PY23.

Actions taken to provide assistance to troubled PHAs

There are no troubled PHAs in Maine.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The city of Auburn has been very proactive removing barriers to housing development in the past two years. Notable achievements include the approval of new ordinances allowing for accessory dwelling units, an increase in density standards and reduced road frontage requirements for residential lots. Coupled with a new form-based code, these changes will promote in-fill development of new housing, allow for multi-unit housing development in residential zones and reducing or eliminating permit fees for targeted demographics.

The City Council have since been facing community petition efforts and threats of recall by an organized citizen group opposed to the new, more inclusive zoning efforts.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

Administrative barriers for underserved community needs are being improved in part through the addition of General Assistance Administrator and Public Health Officer to the Community Development team. They are integral parts of weekly team meetings as well as having input on the Action Plan development and Caper reporting. These front-line, community facing positions work with underserved communities daily and relay program challenges and changing community needs to the team more rapidly so improvements can be made to program delivery on a weekly basis if need be.

Additional staff is being brought on board under the HOME-ARP program to provide direct services to underserved residents. This plan is expected to be approved early in PY22.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City of Auburn has received a three-year Lead Hazard Control & Healthy Homes (LHCHH) grant t hat began in November 2021. CDBG funds are used at matching funds to provide additional subsidy grants to income qualified residents.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

In Maine, there is a statewide network of Community Action Programs (CAPs) with a common purpose of providing services to low-income people across Maine. The goal of these agencies is to empower low-income people to lift themselves and their families out of poverty. The city works with these agencies to leverage additional support for poverty-level families to weatherize and install new, more efficient systems in more homes. On a case-by-case basis city staff has been able to make referrals to financial

coaching services and Homebuyer education classes provided by these CAP agencies.

Auburn Community Development continues to fund public services and housing programs. Services include, food pantries, homelessness prevention, housing navigators, domestic violence services, neighborhood centers, Meals on Wheels, and youth programs.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Internally, the City of Auburn has redeveloped the entire Community Development department, including the integration of General Assistance and Public Health Officer. This new team-based approach to program delivery has allowed staff to provide a more holistic delivery of services to targeted communities. The redevelopment coincided with larger city efforts to streamline the application, approval, and service delivery. These efforts have reduced impact latency and allows the program to respond in-time to identified needs. In 2021, MaineHousing and the Maine Continuum of Care continued to work to redevelop and improve its Coordinated Entry system. The Maine CoC has also worked to address the concerns brought forward in the gaps and needs analysis conducted in 2019.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Community Development Staff is working in tandem with Auburn Housing Authority (AHA) staff to develop new plans for new affordable housing units, manage a Security Deposit assistance program as well as managing a new co-op owned residential facility.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The city has put substantial effort into removing barriers to the development of new affordable housing units. These efforts include switching to form-based code, changes to density standards in residential zones allowing for the construction of new, accessory dwelling units and the reduction of required road frontage to allow for infill development of new residential units. Additional efforts have been taken to highlight the impediments to fair housing as highlighted by Maine Housing Authority.

In 2019 Maine State Housing Authority (MSHA) published an analysis of Impediments to Fair Housing Choice in which it recognized that opposition by communities and neighbors to planning and zoning improvements aimed at promoting affordable housing is discriminatory. In this report MSHA pledges to support affordable housing projects against such NIMBY efforts. The city of Auburn is similarly committed to affirmatively furthering fair housing not only because it is a condition of federal funding but because it is the most fair and practical means to improve the quality of our community. Limiting access to certain types or locations of housing development for low-income populations strips opportunities and equity from our most at-risk community members. Similarly, concentrating subsidized housing in downtown urban areas as a development model serves only to cave to the pressures of

nimbyism that MSHA has identified in their assessment.

To this end, the city is embracing development models which increase housing choice for residents that rely on affordable housing. Each neighborhood has a distinct style and value, as does each resident of this city. Allowing all families, regardless of income, the freedom to choose their home and what environment in which to raise their children is an essential right. That is why this department not only supports the inclusive zoning efforts undertaken by the Planning & Permitting department, but why we continue to approach the creation of affordable housing in Auburn from a place of increased inclusion, accessibility, and choice. This policy is consistent with MSHA's recommendation to encourage economic diversity by encouraging mixed-income housing initiatives as well as to increase the use of housing choice vouchers in low poverty areas.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Community Development Staff is working within the Auburn-Lewiston Consortium to implement new, comprehensive monitoring program to ensure fund recipients are adhering to program guidelines for the duration of their federally mandated affordability period. This process includes an annual desk monitoring, risk assessment and onsite inspection regiment which serves to verify and document findings related to income levels, fair market rental rates and compliance with the city's established standards of housing.

Additional required oversight and technical assistance is being developed for Public Service grant recipients. The city requires a subrecipient to submit a quarterly demographic and impact report for desktop review prior to requesting disbursement of funds. These reports include backup data on the demographics of LMI program recipients as well as administrative data such as payroll records and financial expense reports. This elevated level of review ensures that grant recipients are better prepared to not only provide, but to track and report out on the essential and valuable impact they provide.

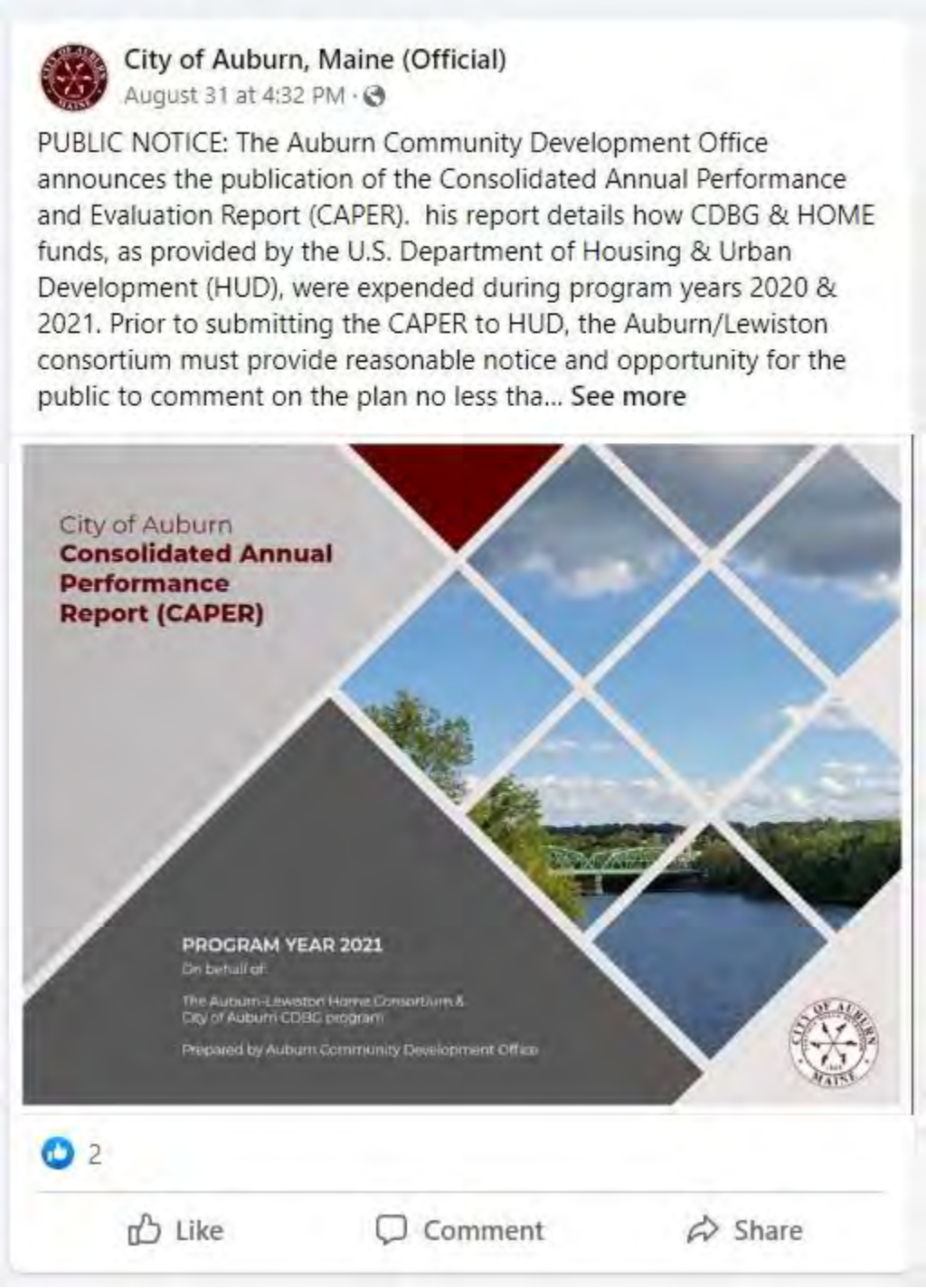
Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The draft 2021 CAPER was published on the city website and available for public comment for 15 days as required by statute beginning September 1st to September 20th. A Public Hearing was held by the Auburn City Council on September 19th. The public was notified of the availability of the report in accordance with the Citizen Participation Plan. Additional solicitations for input were made available through the city social media presence. The Caper was also emailed directly to the 2,041 individuals who have signed up for email alerts through the city marketing department.

Responses to comments received will be included here prior to submission.

Improved citizen outreach efforts include posting notices to the CAPER (with direct access links and QR codes) in public facilities around the city. This includes city hall, public library, senior housing facilities and food pantries. Additional outreach methods include translatable website and social medial notifications. These posts include language and directions for accommodations for language translation and access to printed versions of the report.



Winthrop talk to cover town's apple history

WINTHROP — Kerry Wilkins-Demming plans present a "History of Apples in Winthrop: What We Know and What We Don't Know," at 6 p.m. Thursday.

The talk will take place at at the Winthrop History and Heritage Center, 107 Main St.

Wilkins-Demming, who lives in East Winthrop, will talk on the early history of Pond Town, the more recent history of apples in Winthrop and the future of apple orchards in town.

Kerry Wilkins-Demming

Ichabod Howe, an early settler in what was then called Pond Town, planted orchards there. He and his family moved from New Hampshire to Pondtown in 1768.

Howe brought with him a bag of apple seeds. One of the seedlings became the Winthrop Greening, which still exists today due to Morris Towle (1911-90), who found the Winthrop Greening and saved it.

The Winthrop Greening, now over 250 years old, can be found at the Maine Heritage Orchard in Unity where one can obtain scion wood for the Winthrop Greening from Fedco trees.

For more information, call 207-395-5199 or email win-

LIVERMORE FALLS

Library events, programs planned

LIVERMORE FALLS — Treat Memorial Library, at 56 Main St., plans several events and programs for September.

Among those is Fall into Books, every time books are checked out at the library, the reader is entered for a chance to win a book in December. The more books read, the more chances to win. The library has books available for children, teens and adults, so everyone gets to play this fall, according to a news release from the library.

The library will be closed Tuesday in observance of Labor Day.

Those who need help with a job search can talk with a career consultant from the Career Center from 1 to 3 p.m. Wednesday. Appointments will be drop in on a first-come, first-serve basis. The consultant will be able to assist with job searches, preparation of a resume and cover letters, and/or provide information on education and training related to one's career interest.

On Wednesdays at 10:30 a.m., Story Time will be held inside at the library with picture books, singalongs, and other activities.

Book Club will hold a hybrid meeting, both Zoom and in person, at 3 p.m. Thursday. "One Flew Over the Cuckoo's Nest" by Ken Kesey will be discussed as part of the club's Count on Books series (books with numbers in the title). Let staff know if a copy of the book up for discussion is needed.

Check out the staffs' latest favorites from the shelves with Bonkers for Books, their biweekly recommendation video on Facebook. Some of their favorites will be shared on Saturdays, Sept. 3 and 17.

The library's annual book sale is back. On Saturday, Sept. 24, from 10 a.m. to 2 p.m., the library will have books, DVDs, CDs and more available by donation; stop by on way to or from the Apple Pumpkin Festival.

For more information, call the library at 207-897-3531.

CITY OF LEWISTON PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on **Tuesday, September 6, 2022, at 7:00 p.m.**, or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Basin Bar Brewing Co., LLC
128 Lisbon Street
Consent – Victoria & Rose Ouellette

The City of Lewiston is an EOE. For more information, please visit our website at [illegible] and click on the Non-Discrimination Policy.

PUBLIC NOTICE CITY OF LEWISTON - PLANNING BOARD MEETING

The Lewiston Planning Board will hold a hearing on Monday, September 12, 2022 at 5:30 p.m. in the City Council Chambers, third floor of City Hall to consider:

- An amendment to Appendix A, Article XI, Section 27 of the Zoning and Land Use Code reducing the minimum lot size required for the keeping of up to six female chickens to 15,000 square feet in specific zoning districts.

Information is available in Planning & Code Enforcement on the third floor of City Hall between 8:30 a.m. and 4:00 p.m., Monday through Friday. Written comments may be submitted to the Planning & Code Enforcement Department on or before the hearing date, and comments will be accepted at the hearing.

NOTICE

The Auburn Community Development Office announces the publication of the Consolidated Annual Performance and Evaluation Report (CAPER). This report details how CDBG & HOME funds, as provided by the U.S. Department of Housing & Urban Development (HUD), were expended during program years 2020 & 2021. Prior to submitting the CAPER to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until September 19th, 2022. Comments may be submitted to [illegible] or delivered in person to the Business & Community Development Office. A Public Hearing will be held by the Auburn City Council on Sept 19th, 2022.

Request printed copies, translations, or other accommodations by emailing CDBG@[illegible] or call the Community Development Office at (207) 333-6601.

View the reports at [illegible] or scan the QR code below to download:

NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME-ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until October 4th, 2022. Comments may be submitted to [illegible] or delivered in person to the Business & Community Development Office. A Public Hearing to be held by the Auburn City Council on Sept 19th, 2022 & by the Lewiston City Council on October 4th, 2022.

Request printed copies, translations or other accommodations by emailing CDBG@[illegible] or call the Community Development Office at (207) 333-6601.

View the plan at [illegible] or scan the QR code to download:

Lewiston Public Library reading program concludes

The Lewiston Public Library's Summer Reading Program recently ended.

The program, which ran from June 27 through Aug. 13, provided all ages with reading logs that also served as bookmarks. Participants could log reading time combined with other activities such as signing out a state of Maine park pass or signing out a nature backpack filled with educational activities on the topics of birds, wildlife and plants. The backpacks were provided by the Maine Audubon Society.

"Adults were part of the enrichment and fun too. Not only did they complete more reading logs than last year but also enjoyed book discussions with ReadME in partnership with the Maine Humanities Council; listened to the musical stylings of New York Blues Hall of Fame inductee Marc Blue; and learned about community solar, whales of Maine, and first amendment rights in the modern age," said Children's Librarian Sara Turner, according to a news release from Dottie Perham-Whittier, community relations coordinator at Lewiston City Hall.

"Every person has different learning styles, and we want to provide accommodations for more than just reading. It's about experience, it's about engagement, and educational enrichment in many learning forms. We want a connection with the Lewiston Public Library to be safe, a place where people feel accepted, and a place where they are understood."

Mayor Carl Sheline shared his enthusiasm of how Read, Make, Explore reached community members. "The Library is a cornersione of our city, and I'm proud of the programs that Sara and the Children's Department have developed for all ages this past summer," he said.

In addition to in-person activities with an Ocean of Possibilities theme, the program provided educational presentations, a magician and puppeteers, lecture talks and crafts for adults, and learning enrichment programs about sharks, cephalopods, and the importance of keeping the environment clean. Participants also visited with entertainer Drew Desjardins of Mr. Drew and His Animals Too in Kennedy Park.

Turner adds that Tree Street Youth also visited the library each week over the summer, which provided youth with access to various activities, books, and interaction with Library staff. The relationship with Tree Street Youth is expected to continue into the fall.

To be sensitive to the time and possible transportation and language barriers for parents/guardians to bring children to the library, Turner also brought the summer reading program to such Lewiston elementary school where 21st Century and Early Promise Education summer camps were being hosted. She said that at the end of the program she rolled in carts of books to give away.

"Seeing the smiles spread across each child's face as they selected a book was worth the effort. There's nothing like receiving a brand new book as your very own, especially if you're only had used books. Even in these small moments, you never know how it can impact a child's life," said Turner.

The Children's Department gave away over 400 new books this summer.

Library Director Marcela Perez echoed the mayor's sentiments, "Mainers love to take full advantage of summers, so Lewiston Public Library staff work hard to offer programming that engages community members of all ages in a season of joyful learning and enrichment. We hope that through the Library's Summer Reading Program each year, kids, teens, and adults will use their extra time to challenge themselves to learn new skills, meet others with similar interests, and celebrate our community learners."

Additional creativity at the library continued throughout the summer with Lewiston High School 21st Century teens weekly utilizing the teen space, and the Teen Tabletop RPG Program, which will continue into the fall, brought many new teen patrons into the teen space. In addition, library staff and teen volunteers also hosted story times within the community, and the teen space was also a popular venue for teens and families to play games, read, watch movies, do crafts and stay cool.

For more information, visit [illegible]

Visit us online at sunjournal.com

NOTICE TO CREDITORS
RE: DEBANE L. GUSSELIN, DECEASED
TO: ALL PERSONS HAVING CLAIMS OR DEMANDS AGAINST THE ABOVE NAMED DECEDENT

The above-named Decedent, established a Living Trust, entitled **Gerald and Bejane Gosselin Living Trust Dated March 22, 1994 and Restated February 23, 2004.**

The name(s) and address(es) of the Trustee(s) is/are set forth below.

ALL INTERESTED PERSONS ARE NOTIFIED THAT:

All creditors of the decedent and other persons having claims or demands against decedent's

Trust and/or estate must file their claims with the Trustee(s) listed below **WITHIN FOUR MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.**

ALL CLAIMS AND DEMANDS NOT SO FILED WILL BE FOREVER BARRED.

The date of the first publication of this Notice is August 26, 2022.

Sandra Boisard, Trustee
19749 Glendale Dr, Land O' Lakes, FL 34638
813-481-7261

LEGAL NOTICE AND NOTICE OF HEARING

MAINE DEPARTMENT OF HEALTH & HUMAN SERVICES MAINE DISTRICT COURT

IN RE: HARDIN WILSON DOC. NO. LEWDC-PC-20-096

NOTICE IS HEREBY GIVEN TO John Wilson, Unknown Father of Hardin Wilson and David Lord (hereby and where known collectively referred to as "Respondents") pursuant to 22 M.R.S. §4051 et seq., the Maine Department of Health & Human Services (hereafter "DHHS") has petitioned the Court for a Child Protection Order and an Termination of Parental Rights Order concerning the child **Hardin Wilson d/o/b: 08/09/20 born at Lewiston, Maine.** The mother is **Holly Herrick** and the father is or may be John Wilson, Unknown Father or David Lord. DHHS has met the requirements of M.R. Civ. P Rule 4(d)(1)(A)-(C). Hearing on the pending Petition(s) will be held at **Maine District Court, 71 Lisbon Street, Lewiston, Maine, on October 06, 2022, at 8:30a.m. alternately by remote means to be determined and assigned by the clerk's office. You must contact the clerk, Maine District Court, 71 Lisbon Street, Lewiston, ME 04240 (207) 795-4800 immediately to receive further instructions about the method of participation in this hearing. Failure to appear at this hearing by the means set by the Court may result in the issuance of a Child Protection Order, the termination of your parental rights, and/or any other order permissible under 22 M.R.S. §4001 et seq.** You may be entitled to legal counsel in these proceedings. Contact the court at the above address or **call 207-795-4800**. To obtain a copy of the Petition(s), contact the court or DHHS at **200 Main Street, Lewiston, ME 04240207-795-4620.** DHHS is represented by the Maine Office of the Attorney General, 6 State House Station, Augusta, ME 04333.

Dated: 08/11/22

Jennifer R. Archer
Judge, Maine District Court

A True Attested Copy
Clerk, Maine District Court

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
2 Turner Street, Auburn, Maine
NOTICE OF PETITION FOR CHANGE OF NAME TO ALL PERSONS INTERESTED IN ANY OF THE FOLLOWING PETITIONS:

Notice is hereby given by the respective petitioner(s) that they have filed a petition for change of name, as follows: The matter will be heard beginning at 1:00 PM or as soon thereafter as it may be, on the 20th day of September, A.D., 2022. The requested change of name may be granted on or after the hearing date, if no sufficient objection be heard.

2022-396 SHAYLA MARIE GETCHELL of Lisbon Falls, adult: Petition to change name to SHAYLA MARIE BUNAVAUSKAS, presented by Shayla Marie Getchell

Date: August 26, 2022

/s/ Tom Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
PROBATE NOTICES
TO ALL PERSONS INTERESTED IN ANY OF THE ESTATES LISTED BELOW

Notice is hereby given by the respective Petitioners that they have filed Petitions for appointment of Personal Representatives in the following matters. These matters will be heard at 9:00 AM or as soon thereafter as they may be, on the 20th day of September, 2022. The requested appointments may be made on or after the hearing date, if no sufficient objection be heard. This notice complies with the requirements of 18-C M.R.S. § 3-403 and Maine Probate Rule 4. (Do) shall show name of Petitioner and address and telephone number at which Petitioner or his attorney may be reached).

2022-286 JONATHAN WAYNE RIVARD, late of Lewiston, deceased. Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative, presented by Mitchell J. Tolkoff, Esq., 937 Main St., Lewiston, ME 04240,(207)784-1446, on behalf of Jaime Case, that she be appointed Personal Representative.

2022-325 08 Nil R. DUMAIS, late of Lisbon, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative, presented by Daniel A. D'Auteuil, Jr., Esq., Skelton, Taintor & Abbott, 500 Canal St., Lewiston, ME 04240-(207)784-3200, on behalf of Alice R. Dumais, that he be appointed Personal Representative.

2022-331 DONALD RAYMOND DEAN, JR., late of Auburn, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative or Both, presented by Richard James Dean, 38 Moore Dr., Sabattus, ME 04280, (207)446-7939, that he be appointed Personal Representative.

Dated: August 26, 2022

/s/ Thomas Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
NOTICE TO CREDITORS
18-C M.R.S. §3-801(1)

The following Personal Representatives have been appointed in the Estates noted. The first publication date of this notice is August 26, 2022. If you are a creditor of an Estate listed below, you must present your claim within four months of the first publication date of this Notice to Creditors or be forever barred. You may present your claim by filing a written statement of your claim on a proper form with the Register of Probate of this Court or by delivering or mailing to the Personal Representative listed below at the address published by the Personal Representative's name a written statement of the claim indicating the basis therefore, the name and address of the claimant and the amount claimed or in such other manner as the law may provide. See 18-C M.R.S. §3-804.

2022-074 ARTHUR DIOKPINA, late of Lisbon, deceased. Jennifer M. Billings, 29 Main St., West Paris, ME 04289-5733, Personal Representative.

2022-154 RONALD III ANTHONY, late of Lewiston, deceased. Tasha Marie Massey, 256 CR 102, Berlinboro, AR 72404, Personal Representative.

2022-242 BRENDA N. DRAKES, late of Livermore Falls, deceased. Dexter Peters, 4 Maple St., Livermore Falls, ME 04254, Personal Representative.

2022-248 THOMAS P. O'CONNELL, SR., late of Wales, deceased. Kathleen O'Connell, 222 Ridge Rd., Wales, ME 04280, Personal Representative.

2022-278 BRIAN FRANCK, late of Auburn, deceased. Kathleen Ann Hammond, 1103 Minot Ave., Auburn, ME 04210, Personal Representative.

2022-321 JOHN MICHAEL LABBECQUE, late of Livermore Falls, deceased. Lorne Averill, 119 Union St., Milford, NH 03055, Personal Representative.

2022-346 DIANA S. RICHARDSON, late of Turner, deceased. Thaiton W. Richardson, Jr., 25 Pearl Rd., Turner, ME 04282, Personal Representative.

2022-349 BETSY ANNE DYKE, late of Lewiston, deceased. Benjamin Dyke, 22 Oakbow Dr., Lewiston, ME 04240, Personal Representative.

2022-350 SHARI WILLIAMS, late of Auburn, deceased. Dean Williams, 1 Madelyn St., Lisbon, ME 04257, Personal Representative.

2022-352 MARY E. LAWLOR, late of Auburn, deceased. Heidi McIntosh, 11 Julie St., Poland, ME 04274 and Donald Lawlor, 70 Hackett's Mill Rd., Poland, ME 04274, Personal Co-Representatives.

2022-353 LARRY CLINTON PETERSON, late of Leeds, deceased. Nancy Lael Peterson, 71 Kenney Rd., Leeds, ME 04263, Personal Representative.

2022-358 WILLIAM A. HODGKINS, late of Greene, deceased. Robert D. Hodgkins, 12 Tall Timber Rd., Greene, ME 04236, Personal Representative.

2022-368 HAROLD E. JOHNSON, late of Poland, deceased. Sarah Elizabeth Johnson, 7 Taballus Dr., Windham, ME 04062, Personal Representative.

2022-369 THELMA V. MEANOR, late of Greene, deceased. Tonya L. Robert, 56 West Shore Dr., Greene, ME 04236, Personal Representative.

2022-370 LESLIE F. JENKINS, JR., late of Auburn, deceased. Tricia M. Doane, 5 Carmel Ct., Auburn, ME 04210, Personal Representative.

2022-372 PHILIP WILLIAM ROBINSON, late of Turner, deceased. Ronald Robinson, 1048 Lake Auburn Dr., Green Cove Spri, FL 32043, Personal Representative.

2022-376 EMI J. CAMERON, late of Livermore Falls, deceased. Kelly J. Dyer, 174 Foundry Rd., Livermore Falls, ME 04254, Personal Representative.

2022-377 TRACY L. SMITTER, late of Lisbon Falls, deceased. Timothy D. Lastiic, 20 Elizabeth Ave., Stanhope, NJ 07874, Personal Representative.

2022-378 DIANE I. GITZ, late of Livermore Falls, deceased. Ronald K. Longobardi, 4650 Fee Cir., Las Vegas, NV 89122, Personal Representative.

2022-379 LEONARD A. HUNTINGTON, late of Auburn, deceased. Tracy E. McCrill, 189 Dunhill Rd., Buxton, ME 04093, Personal Representative.

2022-382 RODNEY ARTHUR COURTIR, JR., late of Manchester Falls, deceased. Elizabeth Ann Courtier, 5 Potters Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-383 MADELEINE IRENE DIONNE, late of Minot (Falls), deceased. Ricky H. Dionne, 45 Saunders Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-386 JAMIE LEE HARDY, late of Lisbon Falls, deceased. Jamalyn Perez, 20 Oak St., Lisbon Falls, ME 04252, Personal Representative.

2022-387 NANCY D. BASLOW, late of Auburn, deceased. Bonnie Baslow Kaykendall, 10 Jackson Ave., Bethel, ME 04915, Personal Representative.

2022-388 PATRICIA A. NASH, late of Poland Spring, deceased. Karen Jane Benard, 1746 Bertram St., Honolulu, HI 96816, Personal Representative.

2022-389 STEPHEN J. CURTIS, late of Lisbon, deceased. Cynthia S. Malave, 129 Talbot Ave., Rockland, ME 04841, and Paul H. Curtis, 12 Everett Ave., Owls Head, ME 04854, Personal Co-Representatives.

2022-395 BRUCE DALE CLUKEY, late of Lisbon, deceased. Adam D. Cluley, 240 Bowdoinham Rd., Lisbon Falls, ME 04252, Personal Representative.

2022-397 HELDOR G. RICHARD, late of Auburn, deceased. Grace Bidwell, P.O. Box 210, Roxbury, ME 04275, Personal Representative.

2022-400 LORRAINE P. RAY, late of Auburn, deceased. Leslie Ellen Deschesne, 40 Canterbury Rd., Brewer, ME 04412, Personal Representative.

2022-401 JANA MARIE WHITTEN, late of Lewiston, deceased. Adrienne Marie Deschenes, 5 Carmel St., Apt 1E, Lewiston, ME 04240, Personal Representative.

2022-403 ROLAND BOKER DORCITE, late of Lewiston, deceased. Iuyus H. Espaige, 495 Pond Rd., Lewiston, ME 04240, Personal Representative.

2022-406 DORIS H. ROBSHAW, late of Lisbon Falls, deceased. Raymond Lawrence Robshaw, 16 Front Hill Ave., Lisbon Falls, ME 04252, Personal Representative.

2022-408 CLARE LEVESQUE, late of Lewiston, deceased. Rachel Levesque, 8 Heathwood Dr., Lewiston, ME 04240, Personal Representative.

2022-410 NORMA J. LANE, late of Durham, deceased. Gary P. Lane, 141 Sunrise St., Lisbon Falls, ME 04252, and Carl Lane-Adams, 151 Boyinbons Rd., Durham, ME 04222, Personal Co-Representatives.

2022-412 AUSTIN DANIEL BEAN, late of Leeds, deceased. Kendra Gendron, 1256 Lisbon St, Lewiston, ME 04240, Personal Representative.

2022-413 JEAN-PAUL L. LABONTE, late of Lewiston, deceased. Mark C. Labonte, 465 College St., Lewiston, ME 04240, Personal Representative.

2022-414 WILLIAM GEORGE HATCH, late of Wales, deceased. Shirley B. Hatch, 332 Leeds Jct. Rd., Wales, ME 04280, Personal Representative.

2022-415 PHILAMENA CHIAMWEGOTTI, late of Lewiston, deceased. Linda Marie Chiatwegotti, 167 Chicoine Ave., Auburn, ME 04210, Personal Representative.

2022-420 HENRY J. GILBERT, late of Lewiston, deceased. Lori Earley Gilbert, 60 Forest St., Lewiston, ME 04240, Personal Representative.

2022-422 IRENE C. CACHE, late of Greene, deceased. Claire Gervais, 417 Last Rd., Wales, ME 04280-3132, and Gerald Cagne, 11 Mark St., Lewiston, ME 04240-2024, Personal Co-Representatives.

2022-423 ROBERT L. LAFLAMME, late of Greene, deceased. James LaBonne, 125 Wilkins Rd., Greene, ME 04236-3547, Personal Representative.

2022-431 ANNE R. BURTON, late of Auburn, deceased. Donna L. Eckman, 707 Lake Shore Dr., Auburn, ME 04210, Personal Representative.

2022-235 DENNIS TREMBLAY, late of Sabattus, deceased. Erika E. Tremblay, 871 Middle Rd., Sabattus, ME 04280, Personal Representative.

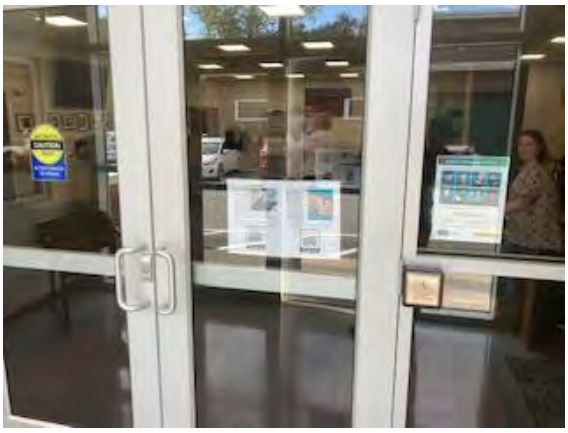
Dated: August 26, 2022

/s/Tom Reynolds
Register of Probate

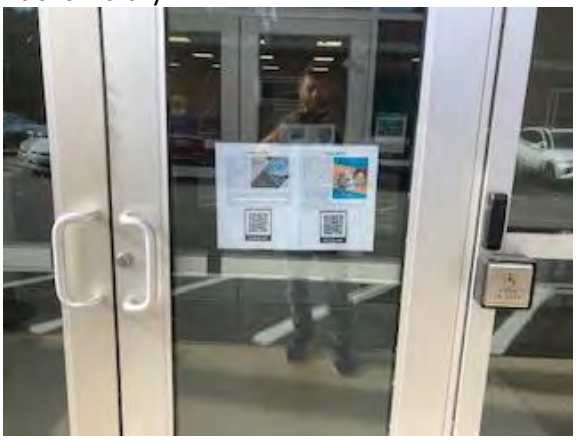
Public Notice Displays

P.A.L. Center

Public Library



Senior Center I



Senior Center II

Auburn Housing – Great Falls

City Hall

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes made to the city's program objectives during the program year.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

The city has begun utilizing the Code Enforcement office to assist completion of HQS and property standard inspections. During this program year 2 projects were found to be out of compliance with monitoring requirements. To this end the city will be including these units in a Voluntary Grant Reduction (VGR) to cure the problem with HUD.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)

Property owners are required to have a Management Plan and a Marketing Plan that affirmatively furthers Fair Housing. The Owner is responsible for selecting residents in a nondiscriminatory manner. The Owner is also responsible for maintaining a written waiting list of applicants in accordance with the project's resident selection policies and criteria that comply with all federal and state laws prohibiting discrimination on the grounds of race, color, national origin, religion, sex, physical or mental handicap, sexual orientation, familial status, ancestry, and receipt of public assistance.

The city has updated its affirmative marketing plan to meet the changing needs of the community. This includes new avenues for outreach, translation, and accessibility services.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

HUD's IDIS PR-01 report draws information from the registered HOME projects completed in Auburn for the project year. These reports demonstrate an additional $75,261 in program income generated during the year which had been committed to new activities. Portion of these funds were reinvested into the rehabilitation of a single family residence located at 140 Lake St.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

The city of Auburn fosters the development and maintenance of affordable housing through its Housing Development & rehab programs. These programs offer federal funds to developers or building owners

for qualified expenses in exchange for ensuring units created or rehabbed remain affordable. Affordable rent requirements are capped at the Fair Market Rent (FMR) as established by HUD.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME	ESG	HOPWA	HTF
Total Number of Activities	0	0	0	0	0
Total Labor Hours	0	0			
Total Section 3 Worker Hours	0	0			
Total Targeted Section 3 Worker Hours	0	0			

Table 14 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME	ESG	HOPWA	HTF
Outreach efforts to generate job applicants who are Public Housing Targeted Workers					
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.					
Direct, on-the job training (including apprenticeships).					
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.					
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).					
Outreach efforts to identify and secure bids from Section 3 business concerns.					
Technical assistance to help Section 3 business concerns understand and bid on contracts.					
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.					
Provided or connected residents with assistance in seeking employment including: drafting resumes,preparing for interviews, finding job opportunities, connecting residents to job placement services.					
Held one or more job fairs.					
Provided or connected residents with supportive services that can provide direct services or referrals.					
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.					
Assisted residents with finding child care.					
Assisted residents to apply for, or attend community college or a four year educational institution.					
Assisted residents to apply for, or attend vocational/technical training.					
Assisted residents to obtain financial literacy training and/or coaching.					
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.					
Provided or connected residents with training on computer use or online technologies.					
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.					
Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.					

Other.					

Table 15 – Qualitative Efforts - Number of Activities by Program

Narrative

The city did not have a project which required Section 3 tracking. Still, new outreach efforts were undertaken during the program year including the hosting of lead hazard control and RRP trainings being provided to local contractors and their employees.

Attachments

PR26 for PY21

Office of Community Planning and Development
U.S. Department of Housing and Urban Development
Integrated Disbursement and Information System
PR26 - CDBG Financial Summary Report
Program Year 2021
ARIZONA, AZ

DATE: 09-30-22
TIME: 11:21
PAGE: 1

PART I: SUMMARY OF CDBG RESOURCES	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	817,958.43
02 ENTITLEMENT GRANT	561,658.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	453,091.72
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	13,109.50
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	1,845,827.75
PART II: SUMMARY OF CDBG EXPENDITURES	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	412,238.31
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	412,238.31
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	108,325.35
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	520,564.66
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	1,325,263.09
PART III: LOW/MOD BENEFIT THIS REPORTING PERIOD	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	144,418.69
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	199,647.29
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	344,065.98
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	83.46%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	99,660.19
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	99,660.19
32 ENTITLEMENT GRANT	561,658.00
33 PRIOR YEAR PROGRAM INCOME	362,073.59
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	923,731.59
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	10.14%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	108,325.35
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	108,325.35
42 ENTITLEMENT GRANT	561,658.00
43 CURRENT YEAR PROGRAM INCOME	453,091.72
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	1,014,749.72
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	10.68%

LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Plan Year	IDIS Project	IDIS Activity	Activity Name	Matrix Code	National Objective	Drawn Amount
2019	2	1726	77 Highland Avenue	14B	LMH	$3,168.50
2020	5	1769	25 Damage Avenue	14B	LMH	$18,200.00
2020	5	1774	150 Third Street	14B	LMH	$7,802.41
2020	5	1776	93 Newbury Street	14B	LMH	$14,047.45
2020	5	1779	41 Third Street	14B	LMH	$11,745.00
2020	5	1784	370 Main Street	14B	LMH	$89,421.53
				14B	Matrix Code	$144,414.89
Total						$144,414.89

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2019	4	1721	6647586	Library Avenue	03K	LMA	$15,174.15
					03K	Matrix Code	$15,174.15
2019	4	1758	6647584	Whitney Street Community Garden	03Z	LMA	$10,104.88
2020	9	1806	6647569	Auburn Community Gardens	03Z	LMC	$8,335.07
					03Z	Matrix Code	$18,439.95
2021	13	1828	6662601	PS21 - Seniors Plus	05A	LMC	$15,000.00
					05A	Matrix Code	$15,000.00
2021	13	1825	6647544	PS21 - Auburn Recreation	05D	LMC	$3,400.00
2021	13	1825	6662613	PS21 - Auburn Recreation	05D	LMC	$17,900.00
2021	13	1827	6647544	PS21 - Community Youth Services	05D	LMC	$6,500.00
2021	13	1827	6662610	PS21 - Community Youth Services	05D	LMC	$4,500.00
					05D	Matrix Code	$32,300.00
2021	13	1823	6647544	PS21 - Safe Voices	05G	LMC	$7,940.37
2021	13	1823	6662615	PS21 - Safe Voices	05G	LMC	$3,855.97
					05G	Matrix Code	$11,796.34
2021	13	1826	6647538	PS21 - Tedford Housing	05K	LMC	$3,500.00
2021	13	1826	6662617	PS21 - Tedford Housing	05K	LMC	$3,500.00
					05K	Matrix Code	$7,000.00
2021	13	1822	6647544	PS21 - Androscoggin Headstart	05L	LMC	$6,000.00
2021	13	1822	6662620	PS21 - Androscoggin Headstart	05L	LMC	$2,000.00
					05L	Matrix Code	$8,000.00
2021	13	1829	6662602	PS21 - St. Mary's Nutrition Center	05M	LMC	$11,174.00
					05M	Matrix Code	$11,174.00
2021	13	1824	6647544	PS21 - Literacy Volunteers	05Z	LMC	$8,412.85
					05Z	Matrix Code	$8,412.85
2021	1	1835	6647541	ERG - 85 Glenlake	14A	LMH	$8,600.00
					14A	Matrix Code	$8,600.00
2021	7	1830	6647642	ED - POSH Emporium	18A	LMJ	$33,750.00
2021	7	1831	6647643	ED - Prime 360	18A	LMJ	$30,000.00
					18A	Matrix Code	$63,750.00
Total							$199,647.29

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
2021	13	1828	6662601	No	PS21 - Seniors Plus	B21MC230001	PI	05A	LMC	$15,000.00
								05A	Matrix Code	$15,000.00
2021	13	1825	6647544	No	PS21 - Auburn Recreation	B21MC230001	PI	05D	LMC	$3,400.00
2021	13	1825	6662613	No	PS21 - Auburn Recreation	B21MC230001	PI	05D	LMC	$17,900.00
2021	13	1827	6647544	No	PS21 - Community Youth Services	B21MC230001	PI	05D	LMC	$6,500.00
2021	13	1827	6662610	No	PS21 - Community Youth Services	B21MC230001	PI	05D	LMC	$4,500.00
								05D	Matrix Code	$32,300.00
2021	13	1823	6647544	No	PS21 - Safe Voices	B21MC230001	PI	05G	LMC	$7,940.37
2021	13	1823	6662615	No	PS21 - Safe Voices	B21MC230001	PI	05G	LMC	$3,855.97
								05G	Matrix Code	$11,796.34
2021	13	1826	6647538	No	PS21 - Tedford Housing	B21MC230001	PI	05K	LMC	$3,500.00

Office of Community Planning and Development
U.S. Department of Housing and Urban Development
Integrated Disbursement and Information System
PR26 - CDBG Financial Summary Report
Program Year 2021
AUBURN , ME

DATE: 09-05-22
TIME: 11:03
PAGE: 3

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
2021	13	1826	6688617	No	PS21 - Tedford Housing	B21MC230001	PI	05K	LMC	$3,500.00
								05K	Matrix Code	$7,000.00
2021	13	1822	6647544	No	PS21 - Androscoggin Headstart	B21MC230001	PI	05L	LMC	$6,000.00
2021	13	1822	6662620	No	PS21 - Androscoggin Headstart	B21MC230001	PI	05L	LMC	$2,000.00
								05L	Matrix Code	$8,000.00
2021	13	1829	6662602	No	PS21 - St. Mary's Nutrition Center	B21MC230001	PI	05W	LMC	$11,174.00
								05W	Matrix Code	$11,174.00
2021	13	1824	6647544	No	PS21 - Literacy Volunteers	B21MC230001	PI	05Z	LMC	$8,412.85
								05Z	Matrix Code	$8,412.85
				No	Activity to prevent, prepare for, and respond to Coronavirus					$83,683.19
Total										$83,683.19

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2021	8	1833	6647518	CDBG Admin - Auburn	21A		$86,419.92
2021	8	1833	6662587	CDBG Admin - Auburn	21A		$11,905.43
					21A	Matrix Code	$108,325.35
Total							$108,325.35

PR26 for CDBG-CV

Office of Community Planning and Development — DATE: 08-25-22
U.S. Department of Housing and Urban Development — TIME: 11:25
Integrated Disbursement and Information System — PAGE: 1
PR26 - CDBG-CV Financial Summary Report
AUBURN , ME

PART I: SUMMARY OF CDBG-CV RESOURCES	
01 CDBG-CV GRANT	472,917.00
02 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
03 FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
04 TOTAL AVAILABLE (SUM, LINES 01-03)	472,917.00
PART II: SUMMARY OF CDBG-CV EXPENDITURES	
05 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	273,533.03
06 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	5,369.51
07 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
08 TOTAL EXPENDITURES (SUM, LINES 05 - 07)	278,902.54
09 UNEXPENDED BALANCE (LINE 04 - LINE8)	194,014.46
PART III: LOWMOD BENEFIT FOR THE CDBG-CV GRANT	
10 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
11 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
12 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	273,533.03
13 TOTAL LOW/MOD CREDIT (SUM, LINES 10 - 12)	273,533.03
14 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 05)	273,533.03
15 PERCENT LOW/MOD CREDIT (LINE 13/LINE 14)	100.00%
PART IV: PUBLIC SERVICE (PS) CALCULATIONS	
16 DISBURSED IN IDIS FOR PUBLIC SERVICES	96,350.35
17 CDBG-CV GRANT	472,917.00
18 PERCENT OF FUNDS DISBURSED FOR PS ACTIVITIES (LINE 16/LINE 17)	20.37%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
19 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	5,369.51
20 CDBG-CV GRANT	472,917.00
21 PERCENT OF FUNDS DISBURSED FOR PA ACTIVITIES (LINE 19/LINE 20)	1.14%

LINE 10 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 10

Report returned no data.

LINE 11 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 11

Report returned no data.

LINE 12 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 12

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	1	1771	6530509	CV - Farmer's Market Market Bucks	05Z	LMC	$1,310.00
		1793	6475942	CV - Grab & Go Grocery	05W	LMC	$16,937.28
			6530509	CV - Grab & Go Grocery	05W	LMC	$16,465.78
			6647654	CV - Grab & Go Grocery	05W	LMC	$14,775.99
			6662673	CV - Grab & Go Grocery	05W	LMC	$7,482.00
		1795	6530509	CV - Senior Care Packages	05A	LMC	$4,820.55
			6647652	CV - Senior Care Packages	05A	LMC	$3,708.75
		1796	6475942	CV - Senior Center Generator & Refrigeration	03A	LMC	$21,004.73
			6530509	CV - Senior Center Generator & Refrigeration	03A	LMC	$19,465.26
		1799	6475942	Pal Center Generator Walk-In Refrigeration	03Z	LMC	$57,457.19
			6530509	Pal Center Generator Walk-In Refrigeration	03Z	LMC	$36,755.50
	2	1777	6475942	CV - Auburn Cleaning Center	18A	LMJ	$20,000.00
		1782	6475942	CV - Stepladder Enterprize	18C	LMJ	$7,500.00
		1783	6475942	CV - A1 Superior Cleaning	18C	LMJ	$7,500.00
		1841	6662675	CV- Micro-Enterprise Loans	18C	LMJ	$7,500.00
	3	1818	6530509	CV- Recreation Scholarships	05D	LMC	$30,850.00
Total							$273,533.03

LINE 16 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 16

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	1	1771	6530509	CV - Farmer's Market Market Bucks	05Z	LMC	$1,310.00
		1793	6475942	CV - Grab & Go Grocery	05W	LMC	$16,937.28
			6530509	CV - Grab & Go Grocery	05W	LMC	$16,465.78
			6647654	CV - Grab & Go Grocery	05W	LMC	$14,775.99
			6662673	CV - Grab & Go Grocery	05W	LMC	$7,482.00
		1795	6530509	CV - Senior Care Packages	05A	LMC	$4,820.55
			6647652	CV - Senior Care Packages	05A	LMC	$3,708.75
	3	1818	6530509	CV- Recreation Scholarships	05D	LMC	$30,850.00
Total							$96,350.35

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2020	4	1798	6475942	CV Admin	21A		$3,665.68
			6530509	CV Admin	21A		$180.47
			6647651	CV Admin	21A		$1,058.50
			6662672	CV Admin	21A		$464.86
Total							$5,369.51

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **Order:** 132-09192022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Auburn-Lewiston HOME-ARP Plan

Information:
The Auburn-Lewiston HOME Consortium was allocated $1,700,829 from U.S. Department of HUD for the purpose of addressing Homelessness and housing insecurity. To access these funds, the Consortium had to complete a comprehensive assessment and consultation process. This plan codifies the recommendations from community and service provider input and establishes a 3-year budget and action plan for the use of these funds. Of the funds provided in aggregate to both cities, this plan establishes that 58% shall be spent on providing supportive services, 4% will provide additional funding for Security Deposit assistance, 21% for the development of affordable housing, 5% for 3rd party non-profit operations and 12% for planning and administration of the grant.

A previous version of this plan was approved by the Auburn City Council on August 1, 2022. The Lewiston City Council was presented the plan for approval on August 16th and opted to recommend changes to the Lewiston portion of the joint budget. These changes included removing funding for non-congregate shelter development and reallocating those funds to public services & affordable housing development. This substantial change necessitated the overall revision and restarting of the public approval process.

City Budgetary Impacts:
Auburn's share of the consortium allocation for HOME-ARP is $914,195. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action:
Vote to amend the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as presented.

Previous Meetings and History:
Public Hearing May 2, 2022
Public Comment Period July 14 – August 1, 2022 & approval of first version.
Public Comment Period September 1 – September 19th.

City Manager Comments:

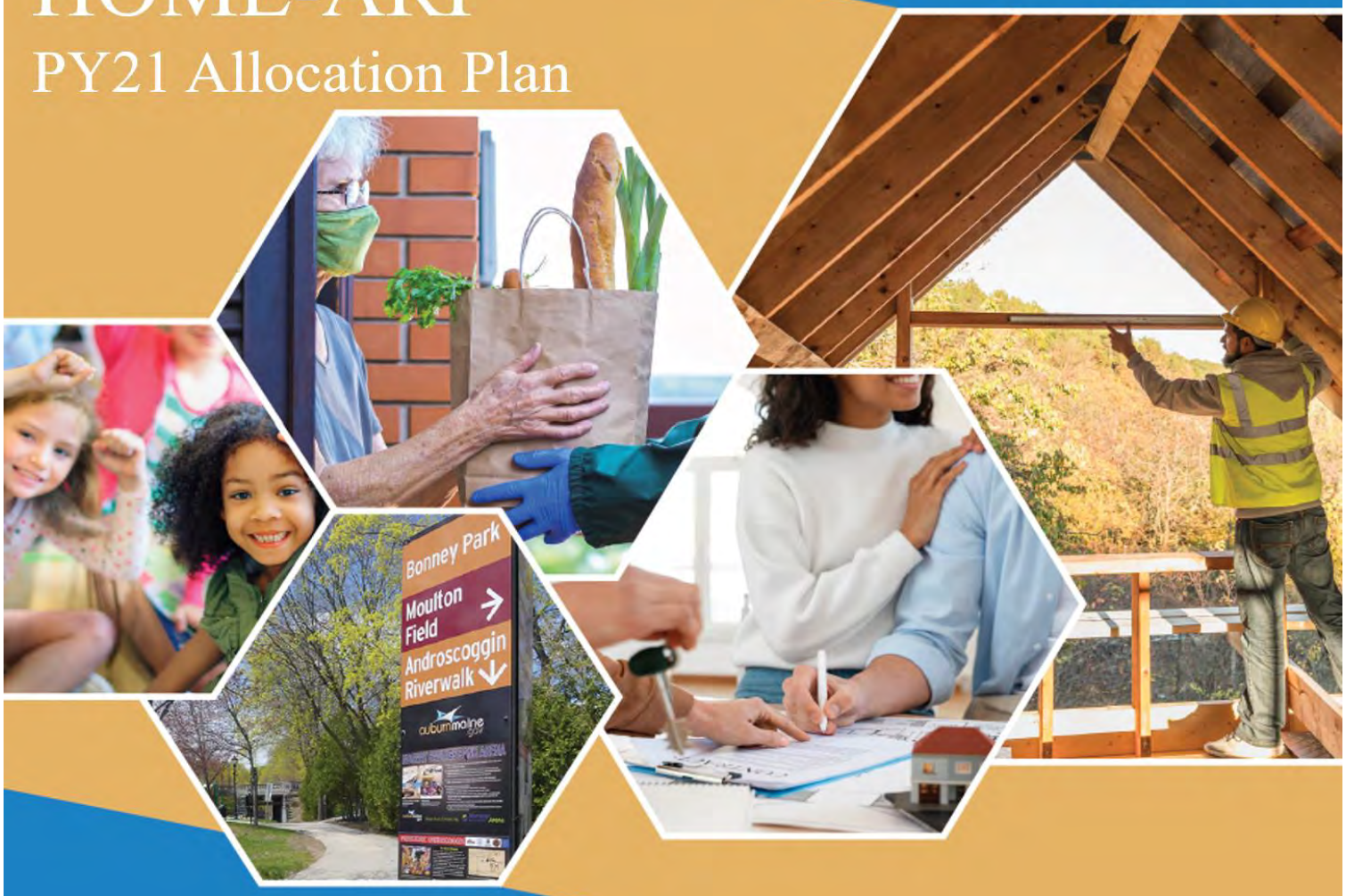
I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Auburn-Lewiston Consortium HOME-ARP Plan

Auburn-Lewiston HOME Consortium

HOME-ARP

PY21 Allocation Plan



auburnmaine

City of Auburn Business & Community Development Department

HOME-ARP Allocation Plan

A Program Year 2021 Amendment

Prepared by: Auburn-Lewiston HOME Consortium
August 2022

This plan was created utilizing the HUD CPD template provided, including questions and tables, as well as the requirements for the HOME-ARP allocation plan, as described in Notice CPD-21-10: *Requirements of the Use of Funds in the HOME-American Rescue Plan Program*, unless noted as optional. Also submitted with this plan are the SF-424, and the related certifications. References to "ARP" mean the HOME-ARP statute at section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2).

Award Amount

The Auburn-Lewiston HOME Consortium (ALHC) is a Participating Jurisdiction (PJ) recognized by the US Department of Housing & Urban Development (HUD). The ALHC will receive $1,700,829 in HOME-American Rescue Plan (ARP) funding. These funds are to be distributed by the city of Auburn to the ALHC Members in accordance with this Allocation Plan.

Consultation

In accordance with Section V.A of the Notice (page 13), before developing its HOME-ARP allocation plan, at a minimum, a PJ consulted with:

- CoC(s) serving the jurisdiction's geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans' groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

Describe the consultation process including methods used and dates of consultation:

The Auburn-Lewiston Home Consortium (ALHC) employed the following three tactics to collect meaningful and informative data regarding the size, demographic makeup, and unmet needs of the local population. First, staff sources all traditional statistical data sources including federal census numbers, American Community Survey (ACS) and the Comprehensive Housing Affordability Strategy (CHAS) data as well as local data compiled by the Maine State Housing Authority (MSHA).

Secondly, staff reached out to local homeless service providers, community advocates, educational institutions, veterans' groups, community action programs, state agencies, domestic violence organizations, public housing authorities, mental healthcare providers and various housing navigators operating at organizations throughout the jurisdiction. This outreach included an overview of the qualified population as defined by HUD in CPD notice 21-10 as well as potential situations in which these populations may be encountered which they may not have considered in the past. This outreached concluded an appeal to these organizations to provide quantifiable data on hand or anecdotal narratives which may serve to highlight unmet needs regularly encountered. From this outreach culminated several formal and informal letters and consultations providing qualitative as well as quantitative data not represented or considered within the traditional data sources noted above.

The third approach was to release a broad community survey focused specifically on the impact of Covid-19 on access to adequate housing and essential services. This survey was circulated in 5 languages, utilizing digital as well as paper surveys distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households encompassing over 1,000 residents being completed.

This locally sourced survey data coupled with the formal or informal correspondence from local service providers was at times contradictory to the traditional data sources. Still, it aided in the development of a plan which is fixated on providing direct responses to the below identified needs. Through consultation and continued collaboration and data sharing with the MSHA HUB Coordinator, the Coordinated Entry system of the Continuum of Care and the various housing navigators operating at various specialty service providers within the jurisdiction the ALHC will be able to better compile accurate, local assessments of need. Sharing these methodologies and conclusions with MSHA and other state and federal level offices will improve the ability to assess and address homeless & at-risk populations.

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Maine Continuum of Care (MCoC)	Continuum of Care	Participated in virtual meeting with 24 service provider organizations – 10/27/21	Need to continue rental assistance programs and assess missing connections through a diversity, equity & inclusion lens. Provide direct outreach to landlords to assist development or improvement of new units. Need relaxed income criteria for LMI populations accessing housing.

Name	Agency/Organization/Company
Heidi Leblanc	Penquis
Denise Lord	MSHA

Josh D'Alessio	PCHC
Ben Strick	Spurwink
Theresa Dow-Oleary	ACAP
Jason Parent	ACAP
Shawn Yardley	Community Concepts
Steve McDermott	MSHA
Barbara Crider	YCCAC
Donna Kelley	Waldo Cap
Claire Berkowitz	MMCA Corp.
Lauren Bustard	MSHA
Paula Webber	MSHA
Mark Wiesendanger	MSHA
Mary Davis	City of Portland
Lincoln Jeffers	City Of Lewiston
Zakk Maher	City of Auburn
Rick Hooks Wayman	VOANNE
Boyd Kronholm	BAHS
Nate Libby	Community Concepts
Deb Johnson	DECD
Sayre Savage	Four Directions Development
Megan Parks	Community Concepts
Bobbi Harris	Down East Community Partners
Jason Bird	Penquis
Betty LaBua	MSHA

Lewiston-Auburn Landlord Association	**Private Org addressing housing**	**Attended regular meetings with 26 landlords. – 1/25/22**	**Need for more rehab programs with relaxed criteria to improve or add new units. Need relaxed zoning to allow for additional units. Need to remove sprinkler requirements for older buildings.**
Auburn Housing Authority	Public Housing Authority	Discussions with Director	Needing increase in voucher funds for Section 8. Additional funding from HOME program for new unit development projects is needed to add to inventory.
PAL Center	Agency which addresses needs of Qualified	Discussions with Director/ Survey Distribution Center	Need for additional funding to continue food pantry and senior services.

	Populations: Homeless, At-Risk & Other		
Auburn Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Police Chief	Department needs greater assistance to comply with new Homelessness Crisis Protocol. Additional Co-responders with mental health, substance abuse or housing focus will provide for better incident outcomes and follow-up services.
Community Concepts Inc.	Agency which addresses needs of Qualified Populations: Homeless, At-Risk & Other	Consultation with Program Director	Discussed needs of QPs and current Emergency Rental Assistance counts and program sunset concerns.
Community Concepts Finance Corp	Agency which addresses needs of Qualified Populations: Homeless, At-Risk& Other	Discussions with Program Manager and review of Community Needs Assessment.	Needed increase in homeownership counseling and financial capability training for tenants to move into homeownership. Establish referral network for new tenants and tracking of completed educational opportunities.
Auburn Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Fire Chief	Direct data points indicating 34% increase in interactions with Homeless individuals & 87% dealing with substance abuse, mental health, and exposure. Additional co-responder and follow up services is needed.
Auburn Adult Education	Agency which addresses needs of Qualified Populations: At-Risk & Other	Consultation with Assistant Director	Additional funding and services are needed for continued educational and job preparedness training. This includes transportation services to and from training and early work-placement programs.
New Auburn Neighborhood Watch	Neighborhood group	Meeting on 4/28/22	18 residents attended. Comments supporting section 8 voucher program, question on how to achieve local adult homelessness counts, cost savings if city consolidated shelter programs.
Androscoggin Head Start	Agency which addresses needs of Qualified	Survey Distribution Center	Need to fill gaps for middle income residents and support services for LMI families and single parents.

	Populations: At-Risk & Other		
Lewiston Housing Authority	Public Housing Agency	Consultation with HUB Coordinator	Need to integrate local actions and activities with the COC. HUB Coordinator cannot provide direct service. Case management needed to better count and facilitate services.
Lewiston Shelter Committee	Organization addressing Fair Housing, Civil Rights and/or needs of persons with disabilities	Consultation with Committee Chair and review of report released July, 2022.	Discusses options for transitional housing development as well as zoning and shelter options.
Veterans Inc.	Veterans Group	Consultation with Staff Grantwriter	Not enough resources to meet the increased number of homeless or at-risk veterans with their pandemic-related federal financial assistance ending in July of this year. Funding needed to supplement homeless veterans transitional housing programs as well as increased operational costs. Seeing a 17% increase in veterans served in transitional housing program so far this program year.
Preble Street Veterans Services	Veterans Group	Consultation with staff	Provided feedback regarding housing service needs and latent job training opportunities.
Emergency Quarantine Shelter	Homeless Service Providers	Consultation with Managers – 3/17/22	Current service data on population counts and demographics. Recommends additional transitional housing and low barrier shelter development.
Trinity Jubilee Shelter	Homeless Service Providers	Consultation with Executive Director	Not enough housing to use with vouchers; not enough readily accessible mental health case management services, program expansion estimated to serve at least 50 people per year; accessible overnight shelters that do not require guests to climb stairs to enter building and/or sleeping area; need for trainings relating to de-escalation and incentives to serve the mentally ill; need for shelters to participate in HMIS to provide robust, accurate data, offer proof of the scale of the homelessness issue, and possibly

			increase funding for homeless services; need for public restrooms/showers that would likely be used by more than 60 homeless people per year; and need for laundry access for at least 75 homeless people per year wash clothing and bedding.
New Beginnings	Homeless Service Providers	Feedback from Executive Director	Not enough services – shelters or housing – available to help youth exit homelessness. Funding needed for additional staffing positions for existing services; creation of new or expansion of existing support services facilities to address non-daytime weekday needs and service of individuals who are excluded by current age or other restrictions in existing programming. Significant unmet need for a) affordable housing; b) support services; and c) shelter resources.
Lewiston School Department	Agency which addresses needs of Qualified Populations	Consultation with District Resource Coordinator	Approximately 300 youth are identified as homeless or at risk for experiencing housing disruption. The Store Next Door provides hygiene items, clothing, food, gift cards for cabs/groceries, and school supplies which are funded with community donations. Funding needed to expand program offerings.
Pinetree Legal	Organization addressing Fair Housing, Civil Rights and needs of persons with disabilities.	Consultation regarding Fair housing	Direct discussions and resource development regarding fair housing services and legal aid.
Androscoggin EMA	Agency which addresses needs of Qualified Populations: At-Risk	Consultation with County EMA Director	EMA has new directives on development of Emergency housing plans. Shared quantified data on estimated emergency shelter needs.
Safe Voices	Domestic Violence Service Providers	Consultation with Director of Shelter and Housing Services	Provided data on sheltered counts and local unmet demand. Support if housing in the form of security deposits and housing resources is needed.

Lewiston Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Fire Chief	Most frequent adverse housing events are unsafe housing and sanitary issues for persons housed in units that are not suited to their physical conditions. Lack of housing for physically impaired persons. Long waitlist for Section 8 and other government assistance.
Lewiston Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Police Chief	Better funding is needed to provide resources to the homeless population, including better services for mental health, substance misuse, and housing. Project Support You (PSY) has 1 1/2 positions and needs the other half position funded to provide additional on-scene crisis de-escalation and mental health resources, connect individuals with ongoing treatment options, and resources to officers to address crisis calls. Funding is needed for counseling resources to address current legislation directing law enforcement to encourage counseling and resources versus arrest or issuing citations. Other needs include reimbursement for emergency hotel vouchers (weekends/holiday); wrap-around services inclusive of a temporary shelter, drug/substance abuse counseling, and shelter for those seeking protection from an abuser; affordable housing; and support for those experiencing substandard rental units.
LA Housing System Collaborative	Organization addressing Fair Housing, Civil Rights and needs of persons with disabilities.	Community Discussion Forum - 5/3/22 facilitated by the Sewall Foundation	Worked with other housing system stakeholders to develop new structures and systems for inter-organizational communication and coordination.
Lewiston-Auburn Alliance for Services to the Homeless (LAASH)	Agency which addresses needs of Qualified Populations: Homeless, At-	Attended Monthly meetings and reviewed the 2009 study and 10-year plan to end homelessness	This plan was to be administered by regional partners including the cities of Auburn & Lewiston, Auburn Housing Authorities, Community Concepts, St. Mary's, and New Beginnings. This initiative was to be

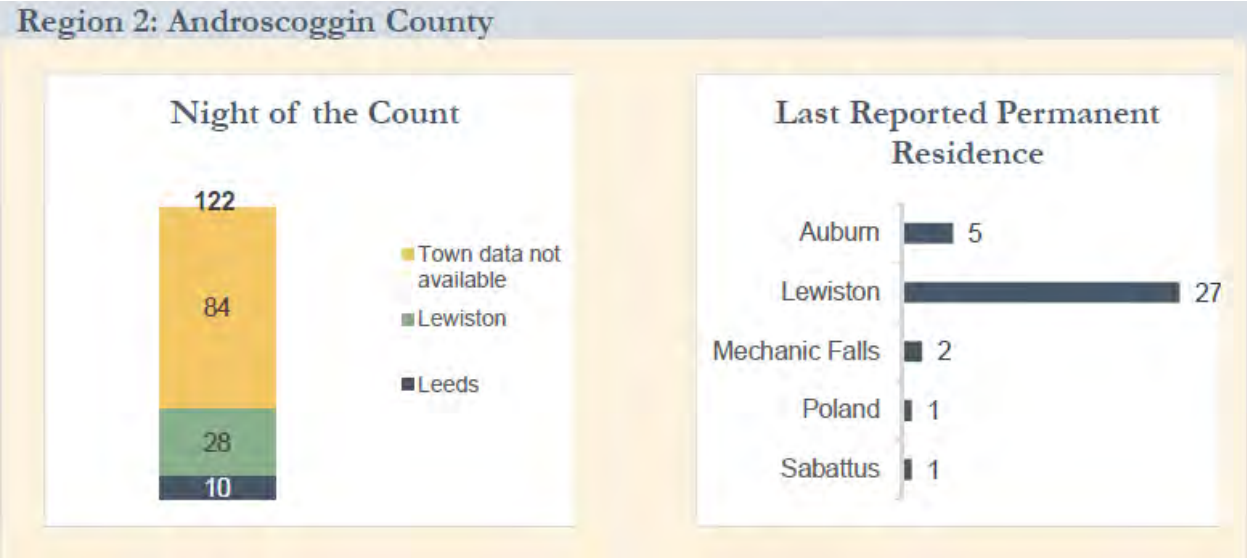
	Risk, DV & Other		overseen by the United Way of Androscoggin County. This plan had concrete benchmarks and established expectations for all partners and was set to be re-assessed in 2019.

Summarize feedback received and results of upfront consultation with these entities:

Through this consultation process the ALHC identified early on that the traditional assessments and sources of data would not adequately demonstrate a modern GAP analysis for the identified Qualified Populations (QPs) for two specific reasons. First, traditional sources of data, such as the American Community Survey (ACS) or the Comprehensive Housing Affordability Strategy (CHAS) were most recently completed in 2019-20, prior to the onset of the Covid-19 pandemic. Second, the ongoing impact of the Covid-19 pandemic has negatively impacted more recent efforts to update this traditional data, including regional Point in Time (PIT) studies. Many of these annual studies have been put on hold altogether, or recent surveys have demonstrated detrimentally small respondent numbers.

For example, the scope of the 2021 Point-in-Time Youth Addendum Survey conducted by MSHA was reduced to only 25 individuals due to the Covid-19 pandemic. This survey sample represents only 0.4% of the number of homeless clients MSHA recorded as sheltered in the 2020 statewide counts. Further, through direct consultation with the local School Department 69 Auburn and 196 Lewiston homeless students within the district have already been qualified as of March 2022, with another 20 cases still being confirmed. The current year combined totals of McKinney-Vento qualified students between both Auburn and Lewiston school systems are already more than 265. This data collected did not differentiate as accompanied or unaccompanied youth but, according to the direct service providers consulted in the development of this plan, is still the tip of the unmet need iceberg.

The second apprehension with current statewide data points is the waiver to skip the 2021 unsheltered population counts or not compile the 2020 data. Attempting to develop an emergency service plan to address the needs of the increasing homeless and at-risk population while maintaining an inconsistent collection of data is problematic. Firstly, without consistent measurements any new data points have no baseline for change which can reasonably be relied upon. For example, Maine's Plan to End & Prevent Homelessness as amended in 2017 estimates the population statewide at 7,020 based on HMIS data and asserts that 98% of those are currently serviced within shelters. This data was updated again in 2021 within the Homeless System Re-Design Initiative. This final report and recommendations are based on a total, statewide population in need of only 4,497. This 36% reduction in need is directly contradictory to local data recently collected. What this data does show is that the current shelter and transitional housing system is clogged with current residents and service recipients which are unable to exit the subsidized housing system and related services.



2022 Maine COC PIT Location Detail 1

The MSHA 2022 PIT did detail 122 individuals in Androscoggin County, as recorded above. Unfortunately, this data did not capture the place of permanent residence totals for most individuals encountered during the count, nor did it record the location data for 84 of the total 122 individuals. The 2022 PIT location report does indicate that counts where no town data is available were derived from hotel stays paid for by General Assistance or Emergency Rental Assistance programs. Direct consultation with the Auburn GA administrator indicates that the 8 families (17 individuals) which were housed through General Assistance last year are not included in that count

Direct correspondence with MSHA also confirms that the state level unhoused population count of 164 is not included in the county totals, nor will that data be shared to "protect the whereabouts of certain populations." In addition to the fact that the 164 total of unhoused across the state is artificially low, this means we are still unable to quantify if any of the individuals were encountered within the city of Auburn by utilizing MSHA data. This point is further supported by the Lewiston Ad Hoc Shelter Committee report released July 14, 2022, in which it is posed that the PIT counts are "fundamentally flawed" and that the true homelessness numbers are 5-10 times higher than MSHA figures.

By using data generated by the Auburn Fire Department's incident reporting system the ALHC confirmed officers had 198 separate encounters with homeless individuals from March 2020 to March 2022 with the second year containing 113 recorded encounters. This establishes a 34% increase from the previous year, a relation directly inverse to the trend demonstrated by state-level assessments. The ALHC understands this count does not establish a more accurate total, nor does it include all potential homeless or at-risk populations. What it does do is further corroborate the view statewide data, as compiled by MSHA, is insufficient to assist if not detrimental to the development of a true needs-based plan.

What is more useful to establishing priorities within the Auburn-Lewiston Consortium is data generated locally and what can effectively incorporate these new data sources including first responders and volunteer program services. For example, of the 51 contacts with homeless individuals that the Auburn Fire Department serviced in the last 3 months, 87% if those involved

substance abuse, Anxiety/psychiatric individuals, or those with exposure to the elements. Not only does this total eclipse the PIT counts provided by MSHA, but clearly demonstrates the unsheltered population, which is currently not being counted, is suffering to the extent that EMTs from the local fire departments must intervene on a routine basis to address the needs of this population, including substance abuse, mental health, and exposure.

Unfortunately, after treatment these individuals are released back into the unhoused population with little to no follow-up support or continuation of services being provided. What is needed, and what this plan lays out for response, is the development of new field service providers whose roll will be to take these self-generated or referrals from first responders and provide the needed follow up and direct service care in order to address the un-met needs of unhoused populations with the end result to facilitate the client's transition into the Coordinated Entry (CE) system either via the HUB Coordinator or the housing navigators housed within one of the specialty service providers.

There has been substantial evidence that the local homeless service providers are not committed to utilizing the HMIS system which MSHA relies on to compile their counts. Most of the shelters in Auburn & Lewiston which provide 83 shelter beds do not use HMIS. Instead, the counts attributed to these shelters in the MSHA PIT are anecdotal and can only be used with a healthy bit of skepticism given the flaws pointed out in other aspects of the count. In response, this plan outlines a dedicated pre-entry and co-responder system that can count, assess, and serve the unsheltered population where they are with an end goal of referring them to the most appropriate service providers and Housing Navigators that can best meet their needs.

Public Participation

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice: 9/1/2022***
- ***Public comment period:*** *start date –* ***9/1/2022*** *end date –* ***10/1/2022***
- ***Date(s) of public hearings: 9/19/2022***
  10/4/2022

Describe the public participation process:

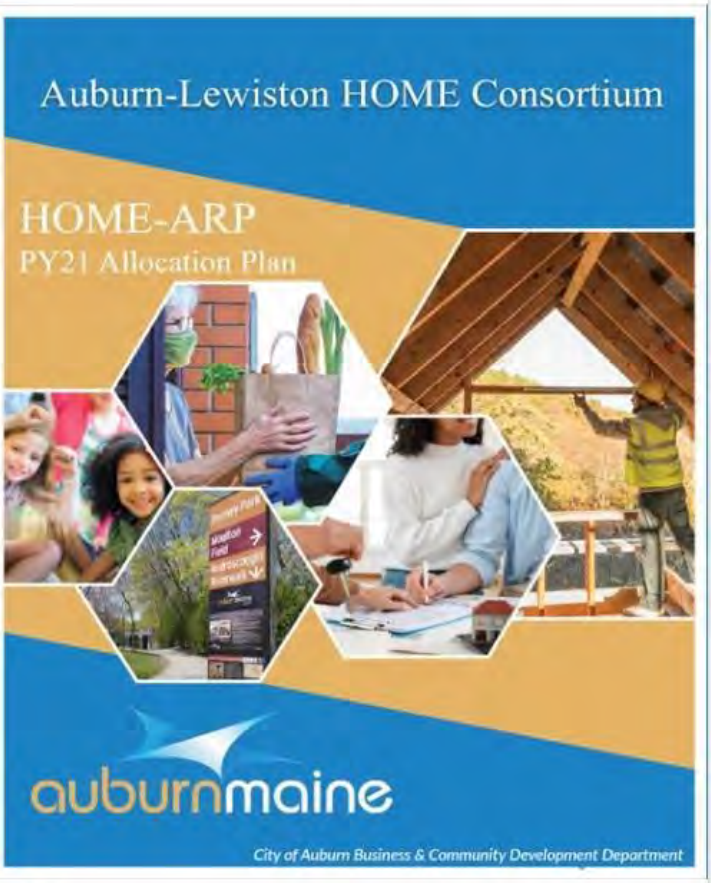
Traditional public participation process, including posting of the proposed plan in its entirety, holding public hearings and public comment period have been expanded to additionally include multiple community outreach efforts as documented above. ALHC staff sent direct requests to area service providers which highlighted all the potential uses of the program funds and outlined the qualified populations. Staff also conducted multiple listening sessions within both cities hosted at city council meetings, neighborhood watch events and housing focused meetings. The efforts to broaden this participation from the mandated minimum will be more thoroughly described below.

Evidence of public posting and appeals for input is included below:

City of Auburn, Maine (Official)
August 31 at 4:24 PM ·

PUBLIC NOTICE: The Auburn-Lewiston HOME Consortium presents their HOME ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn-Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will ... See more



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Like Comment Share

Winthrop talk to cover town's apple history

WINTHROP — Kerry Wilkins-Demming plans present a "History of Apples in Winthrop: What We Know and What We Don't Know," at 6 p.m. Thursday.

The talk will take place at at the Winthrop History and Heritage Center, 107 Main St.

Wilkins-Demming, who lives in East Winthrop, will talk on the early history of Pond Town, the more recent history of apples in Winthrop and the future of apple orchards in town.

Kerry Wilkins-Demming

Ichabod Howe, an early settler in what was then called Pond Town, planted orchards there. He and his family moved from New Hampshire to Pondtown in 1768.

Howe brought with him a bag of apple seeds. One of the seedlings became the Winthrop Greening, which still exists today due to Morris Towle (1911-80), who found the Winthrop Greening and saved it.

The Winthrop Greening, now over 250 years old, can be found at the Maine Heritage Orchard in Unity where one can obtain scion wood for the Winthrop Greening from Fedco trees.

For more information, call 207-395-5199 or email win-[illegible]

LIVERMORE FALLS

Library events, programs planned

LIVERMORE FALLS — Treat Memorial Library, at 56 Main St., plans several events and programs for September.

Among those is Fall into Books, every time books are checked out at the library, the reader is entered for a chance to win a book in December. The more books read, the more chances to win. The library has books available for children, teens and adults, so everyone gets to play this fall, according to a news release from the library.

The library will be closed Tuesday in observance of Labor Day.

Those who need help with a job search can talk with a career consultant from the Career Center from 1 to 3 p.m. Wednesday. Appointments will be drop in on a first-come, first-serve basis. The consultant will be able to assist with job searches, preparation of a resume and cover letters, and/or provide information on education and training related to one's career interest.

On Wednesdays at 10:30 a.m., Story Time will be held inside at the library with picture books, sing-a-longs, and other activities.

Book Club will hold a hybrid meeting, both Zoom and in person, at 3 p.m. Thursday. "One Flew Over the Cuckoo's Nest" by Ken Kesey will be discussed as part of the club's Count on Books series (books with numbers in the title). Let staff know if a copy of the book up for discussion is needed.

Check out the staffs' latest favorites from the shelves with Bonkers for Books, their biweekly recommendation video on Facebook. Some of their favorites will be shared on Saturdays, Sept. 3 and 17.

The library's annual book sale is back. On Saturday, Sept. 24, from 10 a.m. to 2 p.m., the library will have books, DVDs, CDs and more available by donation; stop by on way to or from the Apple Pumpkin festival.

For more information, call the library at 207-897-3631.

Lewiston Public Library reading program concludes

The Lewiston Public Library's Summer Reading Program recently ended.

The program, which ran from June 27 through Aug. 13, provided all ages with reading logs that also served as bookmarks. Participants could log reading time combined with other activities such as signing out a state of Maine park pass or signing out a nature backpack filled with educational activities on the topics of birds, wildlife and plants. The backpacks were provided by the Maine Audubon Society.

"Adults were part of the enrichment and fun too. Not only did they complete more reading logs than last year but also enjoyed book discussions with ReadME in partnership with the Maine Humanities Council; listened to the musical stylings of New York Blues Hall of Fame inductee Marc Blac; and learned about community solar, whales of Maine, and first amendment rights in the modern age," said Children's Librarian Sara Turner, according to a news release from Dottie Perham-Whittier, community relations coordinator at Lewiston City Hall.

"Every person has different learning styles, and we want to provide accommodations for more than just reading. It's about experience, it's about engagement, and educational enrichment in many learning forms. We want a connection with the Lewiston Public Library to be safe, a place where people feel accepted, and a place where they are understood."

Mayor Carl Sheline shared his enthusiasm of how Read, Make, Explore reached community members. "The Library is a cornersione of our city, and I'm proud of the programs that Sara and the Children's Department have developed for all ages this past summer," he said.

In addition to in-person activities with an Ocean of Possibilities theme, the program provided educational presentations, a magician and puppeteers; lecture talks and crafts for adults; and learning enrichment programs about sharks, cephalopods, and the importance of keeping the environment clean. Participants also visited with entertainer Drew Desjardins of Mr. Drew and His Animals Too in Kennedy Park.

Turner adds that Trve Street Youth also visited the library each week over the summer, which provided youth with access to various activities, books, and interaction with Library staff. The relationship with Tree Street Youth is expected to continue into the fall.

To be sensitive to the time and possible transportation and language barriers for parents/guardians to bring children to the library, Turner also brought the summer reading program to each Lewiston elementary school where 21st Century and Early Promise Education summer camps were being hosted. She said that at the end of the program she rolled in carts of books to give away.

"Seeing the smiles spread across each child's face as they selected a book was worth the effort. There's nothing like receiving a brand new book as your very own, especially if you've only had used books. Even in these small moments, you never know how it can impart a child's life," said Turner.

The Children's Department gave away over 400 new books this summer.

Library Director Marcela Perez echoed the mayor's sentiments, "Mainers love to take full advantage of summers, so Lewiston Public Library staff work hard to offer programming that engages community members of all ages in a season of joyful learning and enrichment. We hope that through the Library's Summer Reading Program each year, kids, teens, and adults will use their extra time to challenge themselves to learn new skills, meet others with similar interests, and celebrate our community of learners."

Additional creativity at the library continued throughout the summer with Lewiston High School 21st Century teens weekly utilizing the teen space, and the Teen Tabletop RPG Program, which will continue into the fall, brought many new teen patrons into the teen space. In addition, library staff and teen volunteers also hosted story times within the community, and the teen space was also a popular venue for teens and families to play games, read, watch movies, do crafts and stay cool.

For more information, visit [illegible]

Visit us online at sunjournal.com

CITY OF LEWISTON PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on **Tuesday, September 6, 2022, at 7:00 p.m.**, or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Rusic Bar Brewing Co., LLC
128 Lisbon Street
Owners – Richard & Rose Ouellette

The City of Lewiston is an EOE. For more information, please visit our website at [illegible] and click on the Non-Discrimination Policy.

PUBLIC NOTICE CITY OF LEWISTON – PLANNING BOARD MEETING

The Lewiston Planning Board will hold a meeting on Monday, September 12, 2022 at 5:30 p.m. in the City Council Chambers, third floor of City Hall to consider:

- An amendment to Appendix A, Article XI, Section 22 of the Zoning and Land Use Code reducing the minimum lot size required for the keeping of up to six female chickens to 15,000 square feet in specific zoning districts.

Information is available in Planning & Code Enforcement on the third floor of City Hall between 8:30 a.m. and 4:00 p.m., Monday through Friday. Written comments may be submitted to the Planning & Code Enforcement Department on or before the hearing date, and comments will be accepted at the hearing.

NOTICE

The Auburn Community Development Office announces the publication of the Consolidated Annual Performance and Evaluation Report (CAPER). This report details how CDBG & HOME funds, as provided by the U.S. Department of Housing & Urban Development (HUD), were expended during program years 2020 & 2021. Prior to submitting the CAPER to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until September 19th, 2022. Comments may be submitted to [illegible] or delivered in person to the Business & Community Development Office. A Public Hearing will be held by the Auburn City Council on Sept 19th, 2022.

Request printed copies, translations, or other accommodations by emailing CDBG@[illegible] or call the Community Development Office at (207) 333-6601.

View the reports at [illegible] or scan the QR code below to download.

NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until October 4th, 2022. Comments may be submitted to [illegible] or delivered in person to the Business & Community Development Office. A Public Hearing to be held by the Auburn City Council on Sept 19th, 2022 & by the Lewiston City Council on October 4th, 2022.

Request printed copies, translations or other accommodations by emailing CDBG@[illegible] or call the Community Development Office at (207) 333-6601.

View the plan at [illegible] or scan the QR code to download.

NOTICE TO CREDITORS
RE: RENAE L. COSSELIN, DECEASED
TO: ALL PERSONS HAVING CLAIMS OR DEMANDS AGAINST THE ABOVE NAMED DECEDENT

The above-named Decedent, established a Living Trust, entitled **Gerald and Rejane Gosselin Living Trust Dated March 22, 1994 and Restated February 23, 2004.**

The name(s) and address(es) of the Trustee(s) is/are set forth below:

ALL INTERESTED PERSONS ARE NOTIFIED THAT:

All creditors of the decedent and other persons having claims or demands against decedent's

Trust and/or estate must file their claims with the Trustee listed below **WITHIN FOUR MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.**

ALL CLAIMS AND DEMANDS NOT SO FILED WILL BE FOREVER BARRED.

The date of the first publication of this Notice is August 26, 2022.

Sandra Boland, Trustee
19749 Eldendale Dr, Land O Lakes, FL 34638
813-481-2261

LEGAL NOTICE AND NOTICE OF HEARING

MAINE DEPARTMENT OF HEALTH & HUMAN SERVICES
MAINE DISTRICT COURT

IN RE: HARDIN WILSON
DOC. NO.: LEWDC-PC-20-096

NOTICE IS HEREBY GIVEN TO

John Wilson, Unknown Father of Hardin Wilson and David Lord (hereby and where above collectively pursuant to 22 M.R.S. §4051 et seq., the Maine Department of Health & Human Services (hereafter, "DHHS") has petitioned the Court for a Child Protection Order and for termination of Parental Rights Order concerning the child **Hardin Wilson d/o/b: 08/09/20 born at Lewiston, Maine.** The mother is **Holly Herrick**, and the father is or may be John Wilson, Unknown Father or David Lord. DHHS has met the requirements of M.R. Civ. P. Rule 4(g)(1)(A)-(C). Hearing on the pending Petition(s) will be held at **Maine District Court, 71 Lisbon Street, Lewiston, Maine, on October 06, 2022, at 8:30a.m altornately by remote means to be determined and assigned by the clerk's office. You must contact the clerk, Maine District Court, 71 Lisbon Street, Lewiston, ME 04240 (207) 795-4800 immediately to receive further instructions about the method of participation in this hearing. Failure to appear at this hearing by the means set by the Court may result in the issuance of a Child Protection Order, the termination of your parental rights, and/or any other order permissible under 22 M.R.S. §4001 et seq.** You may be entitled to legal counsel in these proceedings. Contact the court at the above address or **call 207-795-4800** to obtain a copy of the Petition(s), contact the court or DHHS at **200 Main Street, Lewiston, ME 04240/207-795-4620.** DHHS is represented by the Maine Office of the Attorney General, 6 State House Station, Augusta, ME 04333.

Dated: 08/12/22

Jennifer A. Archer
Judge, Maine District Court

A True Attested Copy
Clerk, Maine District Court

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
2 Turner Street, Auburn, Maine
NOTICE OF PETITION FOR CHANGE OF NAME TO ALL PERSONS INTERESTED IN ANY OF THE FOLLOWING PETITIONS:

Notice is hereby given by the respective petitioner(s) that they have filed a petition for change of name, as follows: The matter will be heard beginning at 1:00 PM or as soon thereafter as it may be, on the 20th day of September, A.D., 2022. The requested change of name may be granted.

Any objection must be filed on or before the hearing date. If no sufficient objection be heard.

2022-396 SHAYLA MARIE GETCHELL of Lisbon Falls, adult. Petition to change name to SHAYLA MARIE BUNKEAVICH, presented by Shayla Marie Getchell.

Date: August 26, 2022

/s/ Tom Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
PROBATE NOTICES
TO ALL PERSONS INTERESTED IN ANY OF THE ESTATES LISTED BELOW

Notice is hereby given by the respective Petitioners that they have filed Petitions for appointment of Personal Representative in the following estates. These matters will be heard at 9:00 AM or as soon thereafter as they may be, on the 20th day of September, 2022. The requested appointments may be made on or after the hearing date, if no sufficient objection be heard. The notice complies with the requirements of 18-C M.R.S. § 3-403 and Maine Probate Rule 8. (Each shall show name of Petitioner and address and telephone number of attorney, if any, or that Petitioner may be reached).

2022-286 JONATHAN WAYNE RIVARD, late of Lewiston, deceased. Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative, presented by Mitchell J. Roberge, Esq., 917 Main St., Lewiston, ME 04240-(207)784-1446, on behalf of Jaime Cote, that she be appointed Personal Representative.

2022-325 IRENE R. DUMAIS, late of Lisbon, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative or both, presented by Daniel A. D'Auteuil, Jr., Esq., Skelton, Taintor & Abbott, 500 Canal St., Lewiston, ME 04240-(207)784-3200 on behalf of Alfred R. Dumais, that he be appointed Personal Representative.

2022-331 DONALD RAYMOND DEAN, JR., late of Auburn, deceased. Petition for Formal Probate of Will or Appointment of Personal Representative or both, presented by Richard James Dean, 38 Moore Dr., Sabattus, ME 04280, (207)446-7939, that he be appointed Personal Representative.

Dated: August 26, 2022

/s/ Thomas Reynolds
Register of Probate

STATE OF MAINE
ANDROSCOGGIN COUNTY PROBATE COURT
NOTICE TO CREDITORS
18-C M.R.S. §3-801(1)

The following Personal Representatives have been appointed in the Estates noted. The first publication date of this notice is August 26, 2022. If you are a creditor of an Estate listed below, you must present your claim within four months of the first publication date of this Notice to Creditors or be forever barred. You may present your claim by filing a written statement of your claim on a proper form with the Register of Probate of this Court or by delivering or mailing to the Personal Representative listed below at the address published by the Personal Representative's name a written statement of the claim indicating the basis therefore, the name and address of the claimant and the amount claimed or in such other manner as the law may provide. See 18-C M.R.S. §3-804.

2022-074 ARTHUR DIOPHINA, late of Lisbon, deceased. Jennifer M. Billings, 29 Main St., West Paris, ME 04289-5733, Personal Representative.

2022-154 RONALD III ANTHONY, late of Lewiston, deceased. Tasha Marie Massey, 256 CR 102, Jonesboro, AR 72404, Personal Representative.

2022-242 BRENDA N. DRAKES, late of Livermore Falls, deceased. Dexter Peters, 4 Maple St., Livermore Falls, ME 04254, Personal Representative.

2022-248 THOMAS P. O'CONNELL, SR., late of Wales, deceased. Kathleen O'Connell, 222 Ridge Rd., Wales, ME 04280, Personal Representative.

2022-278 BRIAN FRANCK, late of Auburn, deceased. Kathleen Ann Hammond, 1101 Minot Ave., Auburn, ME 04210, Personal Representative.

2022-321 JOHN MICHAEL LABRECQUE, late of Livermore Falls, deceased. Lorna Avers, 119 Union St., Milford, NH 03055, Personal Representative.

2022-346 DIANA A. RICHARDSON, late of Turner, deceased. Harlan W. Richardson, Jr., 25 Pearl Rd., Turner, ME 04282, Personal Representative.

2022-349 BETSY ANNE DYKE, late of Lewiston, deceased. Benjamin Dyke, 22 Oxbow Dr., Lewiston, ME 04240, Personal Representative.

2022-350 SHARI WILLIAMS, late of Auburn, deceased. Dean Williams, 1 Madelyn St., Lisbon, ME 04251, Personal Representative.

2022-352 MARY E. LAWLOR, late of Auburn, deceased. Heidi McIntosh, 11 Jolls St., Poland, ME 04274 and Donald Lawlor, 70 Hackett's Mill Rd., Poland, ME 04274, Personal Co-Representatives.

2022-353 LARRY CLINTON PETERSON, late of Lisbon, deceased. Nancy Lee Peterson, 71 Kenney Rd., Lisbon, ME 04263, Personal Representative.

2022-358 WILLIAM A. HODGKINS, late of Greene, deceased. Robert D. Hodgkins, 12 Tall Timber Rd., Greene, ME 04236, Personal Representative.

2022-368 HAROLD E. JOHNSON, late of Poland, deceased. Sarah Elizabeth Johnson, 7 Sabattus Dr., Windham, ME 04062, Personal Representative.

2022-369 THELMA V. MEANOR, late of Greene, deceased. Tonya L. Robert, 56 West Shore Dr., Greene, ME 04236, Personal Representative.

2022-370 LESLIE F. JENKINS, JR., late of Auburn, deceased. Tricia M. Dostie, 5 Carmie Ct., Auburn, ME 04210, Personal Representative.

2022-372 PHILIP WILLIAM ROBINSON, late of Turner, deceased. Ronald Robinson, 1048 Lake Ainsley Dr., Cross Lake Twp., FL 32043, Personal Representative.

2022-376 CAM J. CAMERON, late of Livermore Falls, deceased. Kelly J. Dyer, 174 Foundry Rd., Livermore Falls, ME 04254, Personal Representative.

2022-377 TRACY L. SMITTER, late of Lisbon Falls, deceased. Timothy D. Lautitz, 20 Elizabeth Ave., Stanhope, NJ 07874, Personal Representative.

2022-378 DIANE I. CETZ, late of Livermore Falls, deceased. Ronald K. Longenbaugh, 4630 Tee Cir., Las Vegas, NV 89122, Personal Representative.

2022-379 LEONARD A. HUNTINGTON, late of Auburn, deceased. Tracy E. McCrillis, 189 Dunhell Rd., Buxton, ME 04093, Personal Representative.

2022-382 RODNEY ARTHUR COURTUR, JR., late of Manchester Falls, deceased. Elizabeth Ann Courtur, 5 Perkins Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-383 MADELEINE IRENE DIONNE, late of Mechanic Falls, deceased. Ricky H. Dionne, 45 Saunders Rd., Mechanic Falls, ME 04256, Personal Representative.

2022-386 JAMIE LEE HARDY, late of Lisbon Falls, deceased. Jennifer Press, 20 Oak St., Lisbon Falls, ME 04252, Personal Representative.

2022-387 NANCY D. BASTOW, late of Auburn, deceased. Bonnie Barlow Kuykendall, 10 Jackson Ave., Belfast, ME 04915, Personal Representative.

2022-388 PATRICIA A. NASH, late of Poland Springs, deceased. Karen Lee Renard, 1746 Bertram St., Honolulu, HI 96816, Personal Representative.

2022-389 STEPHEN J. CURTIS, late of Lisbon, deceased. Cynthia S. Malaver, 129 Talbot Ave., Rockland, ME 04841, and Paul H. Curtis, 12 Everett Ave., Owls Head, ME 04854, Personal Co-Representatives.

2022-395 BRUCE DALE CLUKEY, late of Lisbon, deceased. Adam D. Clukey, 240 Bowdoinham Rd., Lisbon Falls, ME 04252, Personal Representative.

2022-397 HILDDI G. RICHARD, late of Auburn, deceased. Grace Barnett, P.O. Box 219, Roxbury, ME 04275, Personal Representative.

2022-400 LORRAINE P. RAY, late of Auburn, deceased. Leslie Ellen Deschesne, 40 Canterbury Rd., Brewer, ME 04412, Personal Representative.

2022-401 JANA MARIE WHITTEN, late of Lewiston, deceased. Adrienne Marie Deschesne, 5 Central St., Apt 17, Lewiston, ME 04240, Personal Representative.

2022-404 ROLAND ROGER DORCITTE, late of Lewiston, deceased. Iuiya H. Lepage, 495 Pond Rd., Lewiston, ME 04240, Personal Representative.

2022-406 DORIS H. ROBINSON, late of Lisbon Falls, deceased. Raymond Lawrence Robichaud, 16 Frost Hill Ave., Lisbon Falls, ME 04252, Personal Representative.

2022-408 CLARE LEVESQUE, late of Lewiston, deceased. Rachel Levesque, 8 Heathwood Dr., Lewiston, ME 04240, Personal Representative.

2022-413 JEAN-PAUL L. LABONTE, late of Lewiston, deceased. Mark C. Labonte, 465 College St., Lewiston, ME 04240, Personal Representative.

2022-414 WILLIAM GEORGE HATCH, late of Wales, deceased. Shirley B. Hatch, 332 Leeds Jct. Rd., Wales, ME 04280, Personal Representative.

2022-415 PHILAMENA CHIARMITOLI, late of Lewiston, deceased. Linda Marie Chiarmitoli, 167 Chicopee Ave., Auburn, ME 04210, Personal Representative.

2022-420 HENRY J. GILBERT, late of Lewiston, deceased. Ian Farley Gilbert, 60 Forest St., Lewiston, ME 04240, Personal Representative.

2022-422 RENE G. GAGNE, late of Greene, deceased. Claire Gervais, 417 East Rd., Wales, ME 04280-3332 and Gerald Gagne, 12 Mark St., Lewiston, ME 04240-2024, Personal Co-Representatives.

2022-423 ROBERT L. LAFLAMME, late of Greene, deceased. James LaBonne, 125 Wilkins Rd., Greene, ME 04236-7147, Personal Representative.

2022-410 ANNE R. BURTON, late of Auburn, deceased. Donna L. Eckhart, 707 Lake Shore Dr., Auburn, ME 04210, Personal Representative.

2022-235 DENNIS TREMBLAY, late of Sabattus, deceased. Erika E. Tremblay, 871 Middle Rd., Sabattus, ME 04280, Personal Representative.

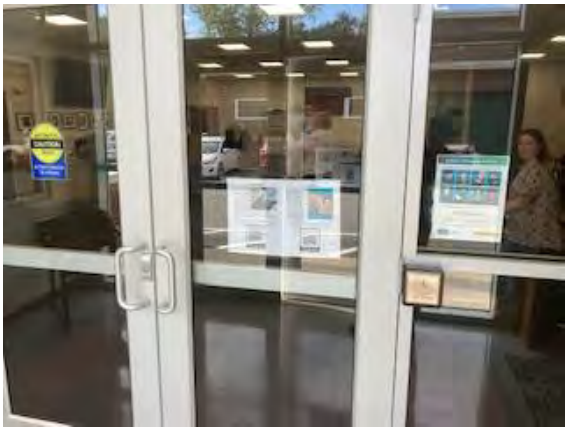
Dated: August 26, 2022

/s/Tom Reynolds
Register of Probate

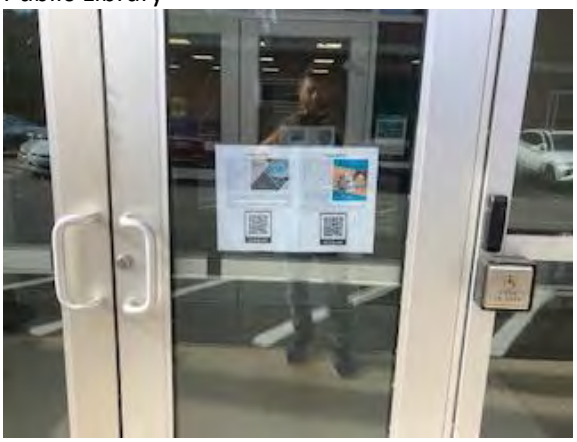
Public Notice Displays

P.A.L. Center

Public Library



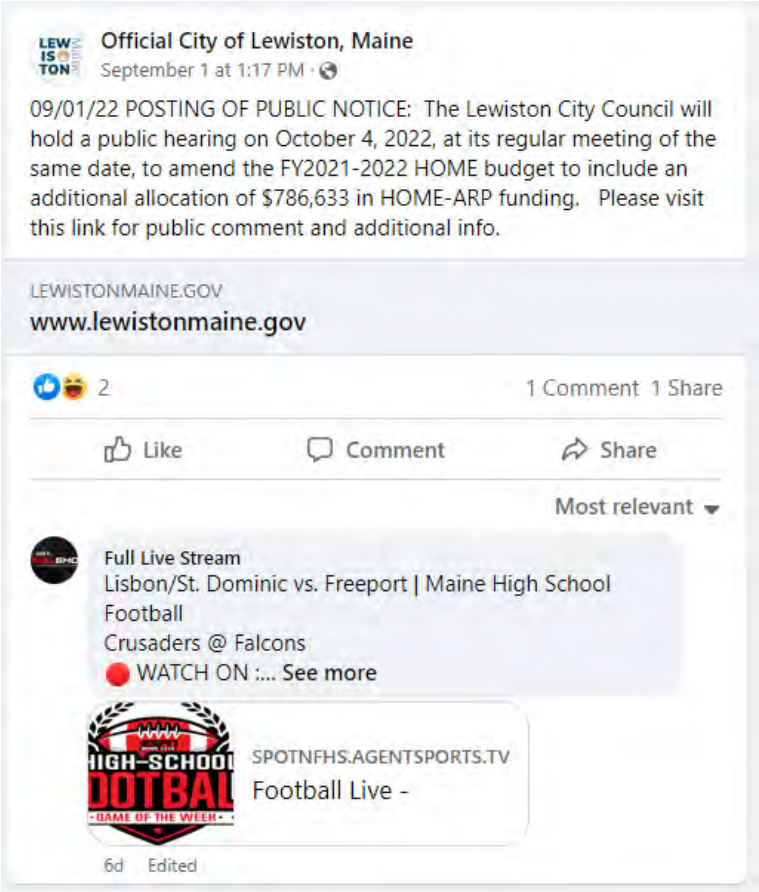
Senior Center I



Senior Center II

Auburn Housing – Great Falls

City Hall



Responses to any public comments delivered will be entered here.

Describe efforts to broaden public participation:

Prior to the development of the Home-ARP and the Auburn-Lewiston HOME Consortium Annual Action Plan a comprehensive community needs survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received. This information, along with consultation efforts with area service provider partners helped craft the plan as presented.

The consultation process also entailed direct correspondence with dozens of area service providers. By educating them on the specifics of the qualified population as defined by HUD in CPD notice 21-10 this outreached further solicited quantifiable or anecdotal narratives which may serve to highlight unmet needs they regularly encounter.

Additionally, ALHC staff held listening session at multiple community neighborhood meetings and events as indicated above.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

Numerical data developed though the community survey will be summarized within the GAP analysis below. A selection of narrative input received during the local survey is included below. This input, sourced from over 1,000 households across two surveys, was key to filling data gaps caused by the Covid-19 pandemic and demonstrates the changed landscape residents and service providers need to navigate and adapt to better address the needs of at-risk and homeless populations.

- The prices of housing have increased substantially. Between prices of rent and goods we can barely make ends meet.
- Public transportation is severely lacking in Auburn especially in the evening.
- Lack of home health care due to staffing shortages and issues around quality healthcare
- Loss of jobs due to school closure and lack of adequate affordable childcare.
- I'm on a fixed income and looking into elderly housing but the waiting lists are so long
- My father and brother are living with me because they cannot find housing.
- Can't afford car upkeep or bills
- Can't access programs to help
- Don't have money for food medication and bill. Need help with property taxes
- I went to through the process the rent assistance is on average six to eight weeks late via community concepts. The landlords get frustrated and toss the clients even if they share the applications to the program.
- folks are taking their important items and moving into their vehicles and sleeping in parking lots around auburn where they won't be harassed. I know of at least 500 vehicles at least some are couch surfing when possible or in for medical reasons, so their cars are parked around the hospital.
- I have a son with a disability who currently lives an hour away. For safety reasons he needs to be closer to us. He is on a ridiculously long waiting list for low-income housing.
- Rising costs have put me back to living paycheck to paycheck and seeking a second job. Pre-covid I lived comfortably on my single income. The cost of food is outrages. I pay more for CMP delivery charges than I use in electric.
- There's a gap for kids who qualify for Headstart and those who don't. There is a long waitlist for many [childcare] providers.
- People don't know there's help there, and they are hard to navigate.
- People don't know about services. We have so many services, but they all work solo. None are working together.
- Covid-19 exacerbated food issues. People who were hurting are hurting more now.

Summarize any comments or recommendations not accepted and state the reasons why:

No comments or recommendations were intentionally dismissed. Some responses or recommendations derived either from the community surveys or through direct consultation with area service providers did contain demonstrations of unmet need which are unable to be addressed given the restrictions on funding availability or individuals who do not fall within the Qualified Population as defined by HUD. In these cases, consideration is taken, and priority of funding is established as available.

Needs Assessment and Gaps Analysis

The Auburn-Lewiston Home Consortium includes the entirety of both cities. Much of the data provided at the state level is by Androscoggin County or as the Lewiston-Auburn Metropolitan Statistical Area LAMSA), which includes 12 surrounding municipalities. Both Auburn & Lewiston serve as a regional service HUB for the area meaning that even though HOME-ARP funds are designated for residents of the two cities, the needs of these cities is impacted by the spillover, or centralization of needs from the surrounding rural populations. The two emergency shelters recently operated in Lewiston during the Covid-19 pandemic corroborated this fact by reporting that 20% of their population cited towns outside of the PJ as their residence.

The American Community Survey (ACS) data calculated a total population of the jurisdiction as 59,425 in 2020. This accounts for 53% of the population of the entire county of Androscoggin being housed on only 20% of the total area. For this reason, and as further demonstrated by residency data provided by the two Emergency Shelters, this plan considers the expected spillover of needs from the total LAMSA. An additional concern with the data utilized is that the county level data provided by MSHA is still derived from the 2015-2020 American community survey. Most of this data provided by ACS was compiled pre-covid and the recent and dramatic shifts in household income and rental rates are not representative of the current situation.

Prior to the current Lewiston Shelter Committee report, the last time this data was locally developed was in 2009, which was published in the Lewiston Auburn Homelessness Strategy by the Lewiston/Auburn Alliance for Services for the Homeless (LAASH). This was a local initiative used to establish a 10-year plan to end homelessness in the area. This plan was to be administered by regional partners including the cities of Auburn & Lewiston, Auburn Housing Authorities, Community Concepts, St. Mary's, and New Beginnings. This initiative was to be overseen by the United Way of Androscoggin County. This plan had concrete benchmarks and established expectations for all partners and was set to be re-assessed in 2019.

The below table is derived from the May 2009 study. Although it is dated this data still demonstrates the inconsistency between local assessments and state-level data that still exists to this day:

Gaps in Service for Homeless populations in Lewiston Auburn Lewiston Auburn Homelessness Strategy – May 8, 2009		
	Numbers	**At-Risk**
Youth	**204 homeless youth** grades 9-12 identified by schools **423 homeless youth** served by New Beginnings and Volunteers of America	**Youth not employed:** 900 ages 20-21 500 ages 22-24 **Youth not in school:** 200 ages 15-17
Families	2008 MSHA Point-In-Time Survey found **6 families homeless on January 30, 2008** **As of September 2008,** **23 families sheltered; 47 families turned away** 69 homeless children grades K-8 identified by schools	**Families living in poverty** in Lewiston Auburn: 1,400 families 1,200 families with children 200 families over age 65
Domestic Violence Survivors	AWAP's domestic violence shelter served **170 women and children last year**	**434 domestic violence crimes** were reported to Lewiston and Auburn police departments in 2006
New Americans	There are an estimated 4,000- 6,000 New Americans living in Lewiston-Auburn.	As of Jan. 2007, Lewiston identified 2,641 immigrants who had moved to the city and enrolled in General Assistance. A 2007 study by the Maine Department of Labor found unemployment among the Somali immigrants to be at 51%
Single Adults	546 homeless single adults sheltered by Hope Haven and St. Martin De Porres in 2007 As of Sept. 2008, Hope Haven had sheltered 252 homeless individuals and turned away 207 because it was full.	3,900 non-institutionalized individuals with a mental disability over the age of 16 700 veterans living below poverty, 2/3 of whom are disabled National rates suggest that as many as 3,000 people in Lewiston Auburn may have significant substance abuse issues

The table above indicates the MSHA PIT report demonstrated 6 homeless families in 2008, while local data verified though the Auburn School Department verified 70 homeless families. Similarly, of the 546 homeless single adults sheltered by Hope Haven & St. Martin in 2007, the MSHA PIT report for 2022 estimates those same facilities to have only 12.

Unfortunately, in 2017 LAASH members agreed to use the Statewide Homeless Council's updated plan as the framework for advocacy as the group did not have the capacity to undertake the work and the expense of updating the plan. This abdication has left the Auburn Lewiston HOME Consortium with little to no accurate baseline data for use in the generation of this plan. To begin to augment the anecdotes and small data samples provided by local service providers the consortium released a Covid-19 Community housing and service survey.

To better qualify the current state of availability it is key to point out that in the 2009 Lewiston Auburn Homelessness Strategy it was clearly stated that "the homelessness problem in Lewiston and Auburn is not, in the first place, primarily a problem of lack of housing… Instead, homelessness

is a problem of insufficient income and resources, a lack of life skills, and health problems (primarily mental health and substance abuse)." This plan presented a 10-year goal of 210 new affordable units to be developed by the Auburn and Lewiston Community Development Offices. According to MSHA there were 243 new affordable units constructed within the area between 2019 and 2022 alone (not including the to-be developed Choice Neighborhood project currently underway in Lewiston).

There has since been an undisputed tightening of the housing market since this 2009 plan but the clearly identified gaps represented as a service deficiency, as opposed to a long-term permanent housing problem remain. This initial, although dated, claim is supported by the service call data from the Auburn Fire Department who indicate 87% of their responses to homeless individuals are related to substance or mental health situations. Therefor the development of a more effective Crisis Response Team as suggested in the 2009 strategy is a key component and priority addressed by this plan.

Describe the size, demographic composition of qualifying populations and unmet housing and service needs within the PJ's boundaries:

Definitions of the four Qualified Populations (QP) is described below. Refer to HUD CPD Notice 21-10 for a more complete definition:

- Homeless
  - lacking fixed/regular and adequate nighttime residence
    - Nighttime residence is not designed for ordinary sleeping accommodations
    - Living in public/private shelter or commercial lodging
  - Will lose nighttime residence:
    - Within 14 days
    - Lacks support network needed to obtain new housing
  - Unaccompanied youth (under 25) or families with children which:
    - Defined by HUD as Runaway, DV or Mckiney-Vento
    - Not had lease or ownership in permanent housing within 60 days
- At-Risk of Homelessness
  - Annual income below 30%LMI ($15k individual)
  - Not had lease or ownership in permanent housing within 60 days
  - Has been notified in writing of eviction
- Fleeing DV, Dating Violence, Stalking or Assault
- Other Populations
  - Families requiring services or housing assistance to prevent homelessness
  - At greatest risk of homelessness
    - Annual income less than 30%AMI
    - Cost burden of 50% monthly household income
  - Veterans and families that include a veteran family member

Homeless as defined in 24 CFR 91.5

The Maine Continuum of Care (MCoC) is a state-wide effort, which is beneficial in regard to coordination of efforts and resources across a wide territory as the system improves. From a local

data collection effort, as addressed prior, it is also a limiting factor. The data below is from the statewide MCoC 2021 PIT. This data demonstrates a total population of sheltered individuals at 2,063.

Summary by household type reported:

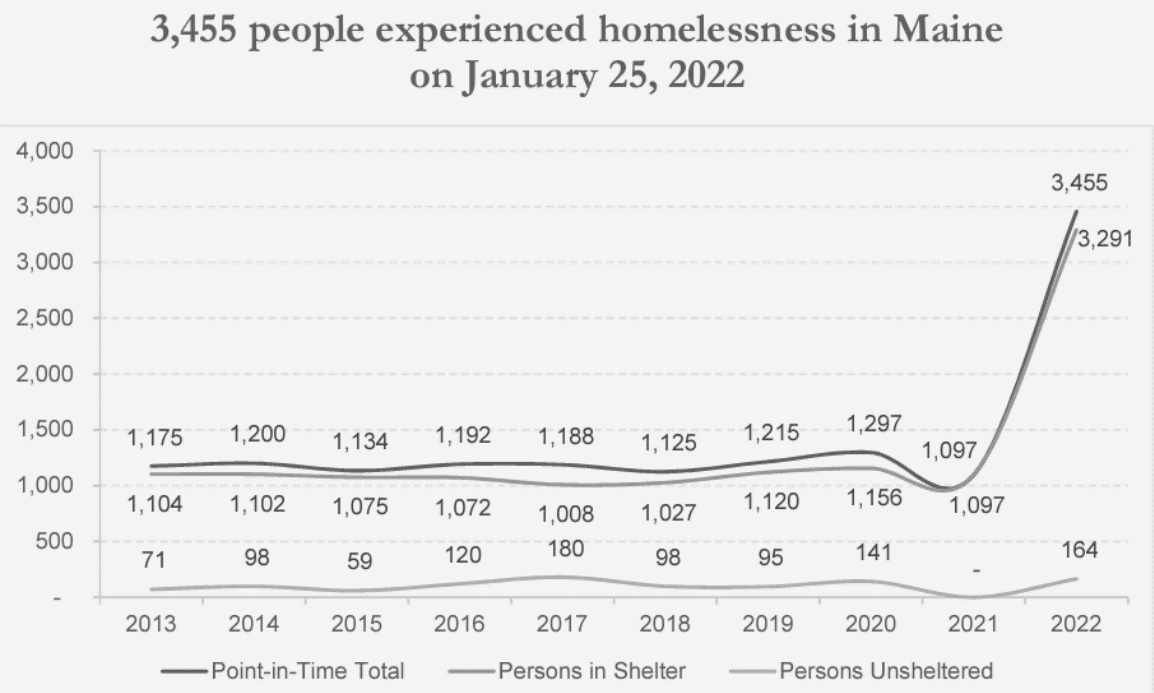
	Sheltered	
	Emergency Shelter	Transitional Housing*
Households without children[1]	706	529
Households with at least one adult and one child[2]	113	134
Households with only children[3]	3	2
Total Homeless Households	**822**	**665**

Summary of persons in each household type:

Persons in households without children[1]	**717**	**556**
Persons Age 18 to 24	46	56
Persons Over Age 24	671	500
Persons in households with at least one adult and one child[2]	**362**	**423**
Children Under Age 18	201	255
Persons Age 18 to 24	14	22
Persons Over Age 24	147	146
Persons in households with only children[3]	**3**	**2**
Total Homeless Persons	**1,082**	**981**

Source: MSHA PIT Report

The number of people experiencing homelessness statewide, and MSHA quantified in January 2022, jumped to 3,455 in the updated 2022 PIT count. This increase was the result of including, for the first time, data derived from the local General Assistance providers as well as the Emergency Rental Assistance program. The most concerning take-away from this updated data compiled by MSHA is that as the sheltered counts increased over 300% over the past year by including new data sources, the unsheltered count only increased 15%. This demonstrates that, although new data collection and reporting is improving the accuracy of the sheltered counts, there is still an unmet need in adequately finding and quantifying the unhoused population.



Source: MSHA PIT count

Local data collected form the 2 emergency shelters operated at the Lewiston Ramada Inn and the Lewiston Armory clearly demonstrates this catch-basin effect of homeless services provided within the ALHC. The combined totals of the two emergency shelters (whose numbers are not included in MSHA PIT counts) regularly operated at capacity. Of their total 213 individuals sheltered 60% claimed Lewiston as their residence, 20% claimed Auburn with the remaining 20% coming from outside of the ALHC jurisdiction. The unmet needs as reported by managers and service providers is a lack of adequate case management as well as vacancies within transitional or supervised housing facilities that are essential to take high-need clients out of short-term shelters.

Another resource engaged during this assessment process was the Auburn & Lewiston School Departments McKinney-Vento Homeless Assistance liaisons. For Auburn, the historic totals were 69 students for school year 19-20, 70 students for school year 2021 and what is looking like 80 students for school year 2021-22. Department staff was clear data is currently hard to quantify as data was tracked in multiple systems. Still, the 265 students in the school systems who are being transported by the system under the McKinney-Vento program is notably larger than the totals of sheltered teen as reported by MSHA and the Continuum of Care. This data does not indicate whether they are unaccompanied youth or part of a larger homeless family unit, but it does indicate the unmet needs reported necessitate additional funding for reliable transportation as well as supplies and expenses necessary to sustain their education while in an unstable housing situation.

Data provided by the Lewiston Mayoral Ad Hoc Shelter Committee represents the most sound and updated picture of the present situation. In comparison to the total 122 homeless population

demonstrated my MSHA 2022 PIT, the Lewiston committee has indicated 130 individuals living outdoors or couch surfing and 54 individuals being put in temporary housing paid for by General Assistance in Lewiston. This is in addition to the 393 individuals housed within the emergency shelters and the 258 Lewiston students that were homeless during the 2021-2022 school year.

At Risk of Homelessness as defined in 24 CFR 91.5

Those at risk of homelessness within Androscoggin County are renters within 30% of the Area Median Income with at least one severe housing problem, such as overcrowding or rent burden greater than 30% of their income. The below chart provides for a total of 1, 665 renters in Androscoggin County which qualified as 30%AMI.

Owner Occupied Households

HOUSEHOLD INCOME	Estimate	Margin Of Error
30% of Median Household Income	2,388	+/-428
50% of Median Household Income	5,612	+/-572
80% of Median Household Income	11,305	+/-926
Total =	**19,305**	

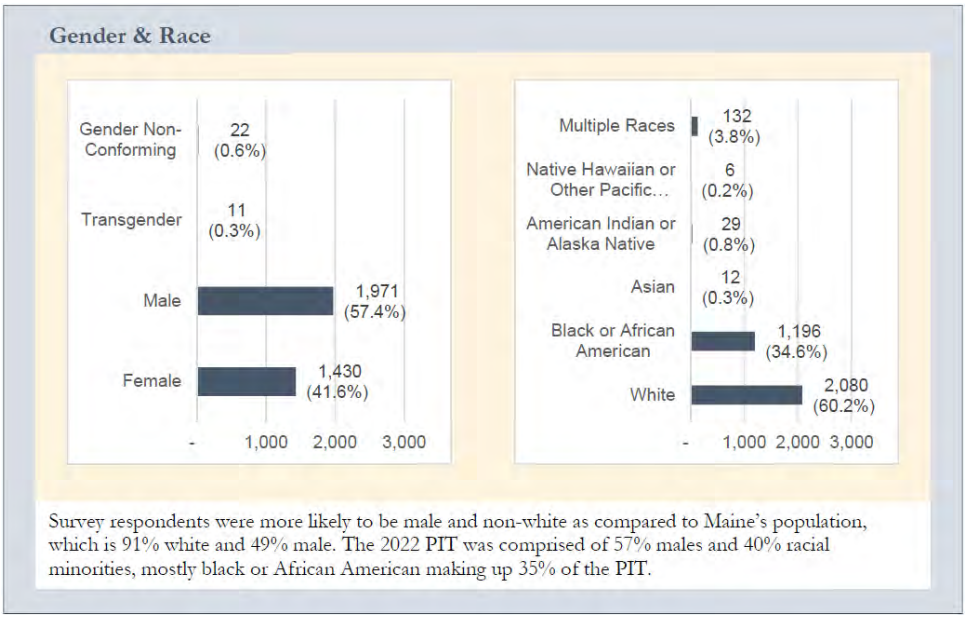
Renter Occupied Households

HOUSEHOLD INCOMI	Estimate	Margin Of Error	Total
30% of Median Household Income	1,665	+/-266	**4,052**
50% of Median Household Income	3,804	+/-529	**9,416**
80% of Median Household Income	6,849	+/-967	**18,155**
Total =	**12,318**		

Source: MSHA Housing Characteristics Report

Over 57% of the survey respondents indicated household income levels below 80% of the Area Median Income (AMI), meaning their household would already qualify for assistance under traditional HOME programs. Furthermore, over 24% of respondents indicated a household income under 30% AMI, meaning they would qualify as “At Risk of Homelessness” as defined in 24 CFR 91.5. Of the total respondents, 36% indicated that their household income was negatively impacted by the Covid-19 pandemic. A further 34% also indicated their families access to food and household necessities was made more difficult due to the pandemic. Regarding housing, 14% of respondents indicated that their access to adequate housing was negatively impacted this past year.

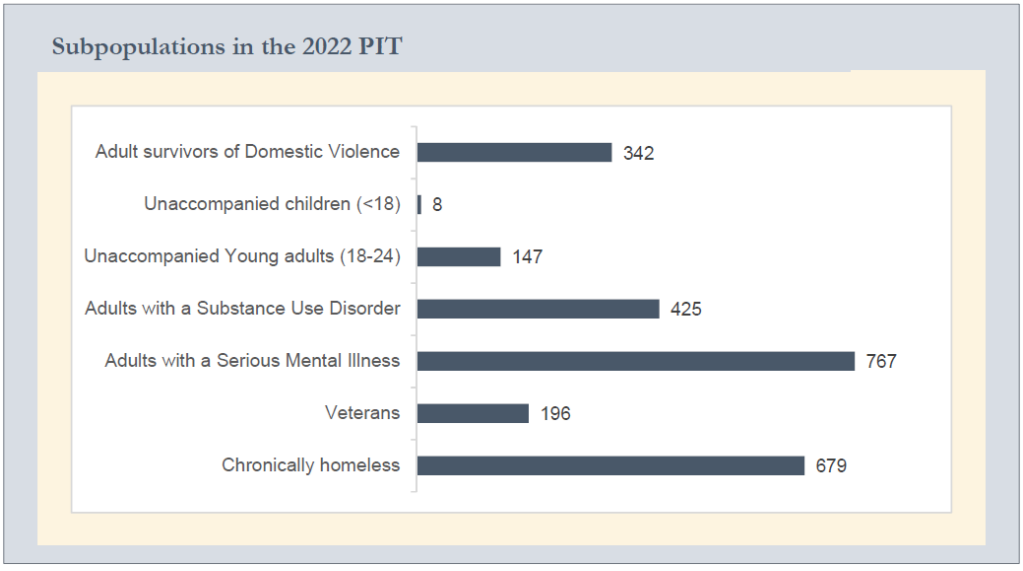
Demographic data provided by MSHA PIT report, as summarized below, indicate that most of the respondents are white males, although this percentage is disproportionately lower than the states overall population.



MSHA PIT Report 1

Lastly, through consultation with local housing authorities provided data on the Housing Choice Voucher centralized waitlist provided the quantification of 454 current applicants. 411 applicants currently qualify under 60% AI with 121 applicants residing in "temporary residences", 26 being housed in a shelter or hotel and 33 reporting that they are currently "living in a place not normally used for housing." Lastly, 57 of the current waitlist applicants are households of 3 or more.

The unmet needs relating to this QP includes additional support for adults with substance abuse or mental illness. As demonstrated by the MSHA PIT report on subpopulations the vast majority of respondents are, in order of prevalence, Adults with serious mental illness, chronically homeless and adults with substance abuse disorders.



MSHA PIT Report 2

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

Information provided by SafeVoices, a domestic abuse shelter service provider currently operating a 17-bed shelter, demonstrates an average 44 shelter requests per month. Safe Voices has been committed to the mission of supporting and empowering those affected by domestic violence and human trafficking and engaging the community in creating social change in Androscoggin, Oxford, and Franklin counties for 45 years.

As indicated in the above MSHA subpopulation summary, adult survivors are the 4th largest subpopulation. This is mirrored in the Lewiston Shelter Committee's assertation that the primary cause of homelessness for women is domestic abuse and violence. Although MSHA PIT reports reference 110 persons being located within domestic violence shelters, further information regarding demographics for this population are less available due to the anonymous nature of the locations and subpopulations serviced.

In their last fiscal year, SafeVoices alone received a total of 325 local shelter requests but were only able to house 83 individuals. This leaves an unmet need of 242 families which were under-served by the current capacity. The unmet need reported by DV focused shelter operators is additional funds and support for TBRA and subsidized housing programs to aid in the re-housing of their current population as well as a larger public awareness campaign to address the increasing instances of domestic violence they are seeing in recent years.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

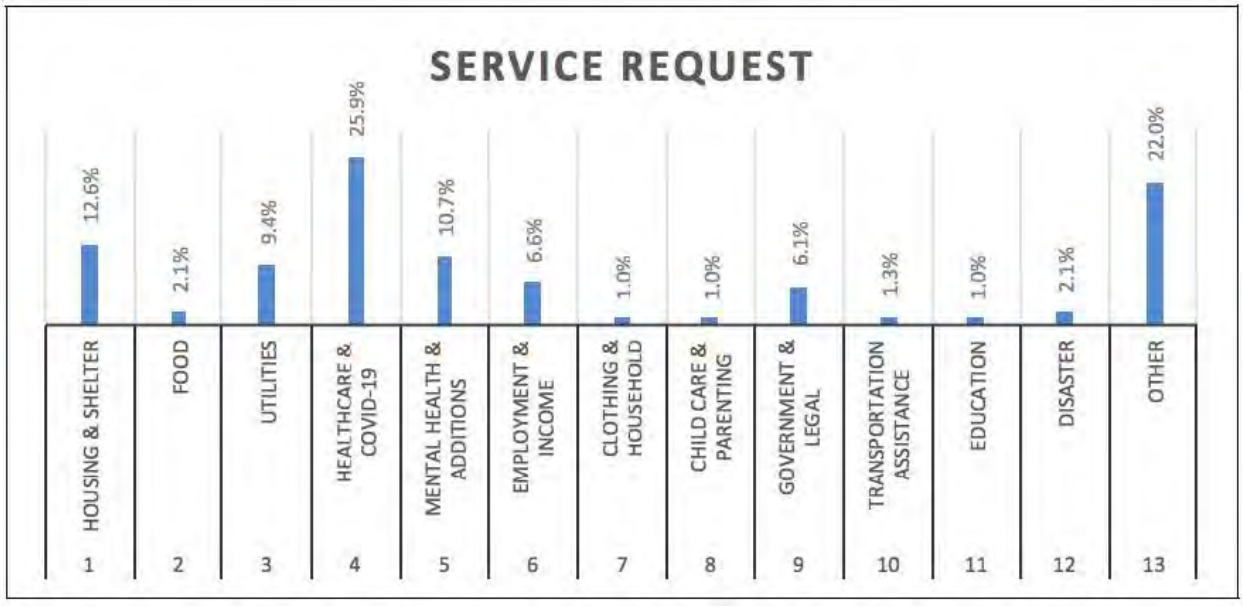
In looking to better assess the at-risk population the ALHC staff reached out the current Emergency Rental Assistance providers for concrete numbers related to the impending end of the current Emergency Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding, preparations for a dramatic increase in housing assistance needs are being developed.

	2015 Income below Poverty Level			2020 Income below Poverty Level		
	Households	Margin of Error Households in Poverty	% of Family Type in Poverty	Households	Margin of Error Households in Poverty	% of Family Type in Poverty
Total Households	7,041	+/-515	15.8%	5,410	+/-503	11.8%
Family Households	3,179	+/-351	11.4%	1,931	+/-346	7.0%
Married Couple Fam HH	905	+/-185	4.4%	569	+/-194	2.8%
M C Fam HH w/Children	508	+/-139	6.5%	358	+/-164	4.7%
Male Head of Family HH	368	+/-140	16.7%	194	+/-90	8.2%
Male Head of HH w/Children	341	+/-138	21.7%	132	+/-73	8.4%
Female Head of Family HH	1,906	+/-293	38.3%	1,168	+/-296	24.6%
Female Head of HH w/Children	1,816	+/-280	47.2%	962	+/-291	31.6%
Non-Family HH	3,862	+/-394	22.9%	3,479	+/-469	19.2%
			Total=	14,203		

Source: MSHA Housing Characteristics Report

Additional data below indicates a total of over 14, 000 households within Androscoggin which have reported incomes below the poverty line. These families qualify as having characteristics of housing associated with instability and increase risk of homelessness, which includes having a household income of less than 30% AMI and/or paying more than 50% of their monthly income toward housing expenses.

In addition to the traditional unmet needs of other populations, the Lewiston Shelter Committee derived data from the United Way 2-1-1 call for assistance between May 2021 through May 2022. Although only 12% of the calls were categorized as housing, the data also indicates additional unmet needs of the population such as 9.4% regarding assistance with utilities and 25.9% as healthcare.



Lewiston Shelter Committee Report 2022 1

In addition to the current homelessness crisis and the influx of more refugee families into a jurisdiction already coping with a housing shortage is the impending end of the current Emergency Rental Assistance program. This program, which locally administered by Community Concepts Inc,

has serviced 1,118 non-duplicated households as of March 2022. These populations are currently being housed within hotels and apartments funded through the ERA or General Assistance programs within the jurisdiction. Simultaneously, as the ERA program is coming to a funding cliff, the GA program has announced that the hotels will no longer be pay going rates for housing refugees. As these funds shrink the unmet needs of these QPs will be new unit development with the necessary TBRA and subsidized housing to support these populations.

Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing (Optional):

Current resources provided within the jurisdiction include 5 overnight shelters which provide a total of 83 overnight beds. Additional resources include drop-in shelters and food pantries.

The General Assistance offices of both cities work proactively to prevent LMI families from becoming homeless. These efforts are not just based on the use of General Assistance funds but also the addition of wrap-around support services rooted in their proactive community roles. Similarly, the Auburn Public Health office continues to work with residential institutions to match needs with readily dwindling community housing and support resources. These include current TBRA programs within both cities which provide security deposit assistance in the form of grants to help house people when available units can be found.

The Community Development Office is adding a new, Homelessness Intervention Specialist position with an additional Mckinney-Vento style budget from the HOME-ARP allocation to provide additional services and resources to these at-risk qualified populations including additional TBRA services dedicated to QPs. Additional support service networks are being identified within this process including medical aid, education & job training providers as well as mental health and substance abuse counseling services which will better meet the needs of the unhoused subpopulations identified above.

Additionally, the Maine COC has added a new HUB Coordinator & Housing Navigator located at the Lewiston Housing Authority. This position will be the point of Coordinated Entry (CE) into the MCoC system, allowing the Community Development and Public Health teams to focus their efforts on crisis response and early intervention efforts.

Several new shelter initiatives are being developed within both cities. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding set to expire on June 30th, 2022, preparations for a dramatic in housing needs are being developed. This plan allocates substantial funding and staff time to support these projects as they develop.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

Community Concepts, who has been running the Emergency Rental Assistance program has reported a total of 1,118 non-duplicated households in the city of Auburn who have been assisted to date. As this program winds down, it is expected that these families will still need some form

of transitional Tennent Based Rental Assistance. More recently, MSHA has provided for government rate caps on rental assistance, which is substantially decreasing the number of hotel/motels that will accept discounted rates. The result being an anticipated eviction wave of residents currently housed within these privately owned facilities.

Total housing inventory data, as compiled by MSHA in 2021 for Androscoggin County demonstrates only a 2.6% vacancy rate for rental units. This rate is a causal reason for individuals to find themselves stuck within the shelter and transitional housing systems.

Units by Tenure & Vacancy

	2011-2015	%	Margin of Error 2011-2015	2016-2020	%	Margin of Error 2016-2020	% Change
Total Units	49,164		+/-154	50,053		+/-187	2%
Occupied Units	44,636	91% of Total	+/-483	45,906	92% of Total	+/-574	3%
Owner Occupied	28,372	64% of Occ.	+/-620	29,796	65% of Occ.	+/-724	5%
Renter Occupied	16,264	36% of Occ.	+/-596	16,110	35% of Occ.	+/-654	-1%
Vacant Units	4,528	9% of Total	+/-480	4,147	8% of Total	+/-541	-8%
Vacant For Sale	519	1.8% Vac.	+/-179	384	1.3% Vac.	+/-179	-26%
Vacant For Rent	681	4% Vac.	+/-213	423	2.6% Vac.	+/-146	-38%
Vacant Seasonal	1,110	2% of Total	+/-249	1,432	3% of Total	+/-363	29%

Data from the American Community Survey are estimates

Source: MSHA Housing Characteristics Report

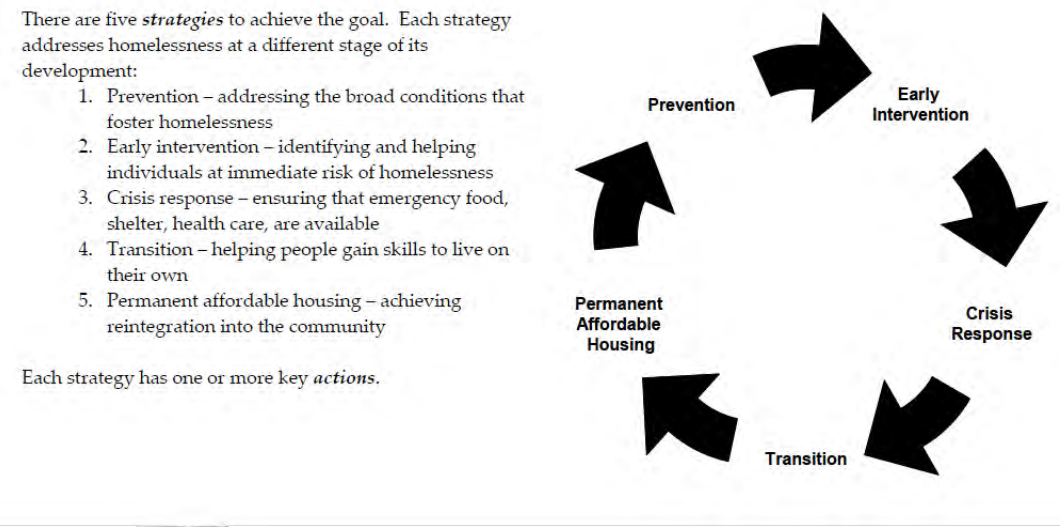
Although this plan expects to provide funding for 4 new affordable rental units, the ALHC regular allocation budget workplan expects to double that number. Historically, Auburn and Lewiston have added multiple large affordable housing projects in the past few years. According to statistics maintained by Maine Housing Authority 243 new affordable housing units have been created with MSHA funding (including Auburn & Lewiston Consortium funds) between 2019 and 2022. These buildings offer modern affordable amenities to public housing residents. Auburn Housing Authority has been transitioning to a voucher-based system allowing more aid to residents using privately owned units.

Additional gaps, as identified within the MSHA PIT subpopulation report highlight the substantive calls for wrap-around services by individuals and organizations consulted during the development of this plan. Additional calls for assistance in funding allowable medical expenses such as non-cosmetic dental care, transportation, life skills training and substance abuse services.

Identify priority needs for qualifying populations:

Priority needs for qualified homeless, at-risk, and domestic abuse populations include additional direct field services and case management is also needed to aid in the transition from the high-need unhoused population into openings within the current structures and non-profit service providers across the jurisdiction. To achieve the best outcomes for the largest populations a service-first model that incorporates direct outreach services will be prioritized. On-scene assessments and triage will allow city service providers to offer custom fit responses that address direct and immediate needs of the unhoused and underhoused population. The goal of the service-first programming is to better assist the population in accessing the coordinated entry system at one of the multiple service providers which they may otherwise not be able to access due to the unmet service needs identified above.

The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, Community Concepts, Healthy Androscoggin, and other city departments, and local and regional nonprofit organizations coordinate closely in the planning and delivery of housing services. However, there are not enough resources among all the partners to meet the identified needs. Additional funding from HOME-ARP will be utilized to expand service capacity for regional providers which specialize in mental health, out-patient medical services, transportation, life skill/job training as well as substance abuse.



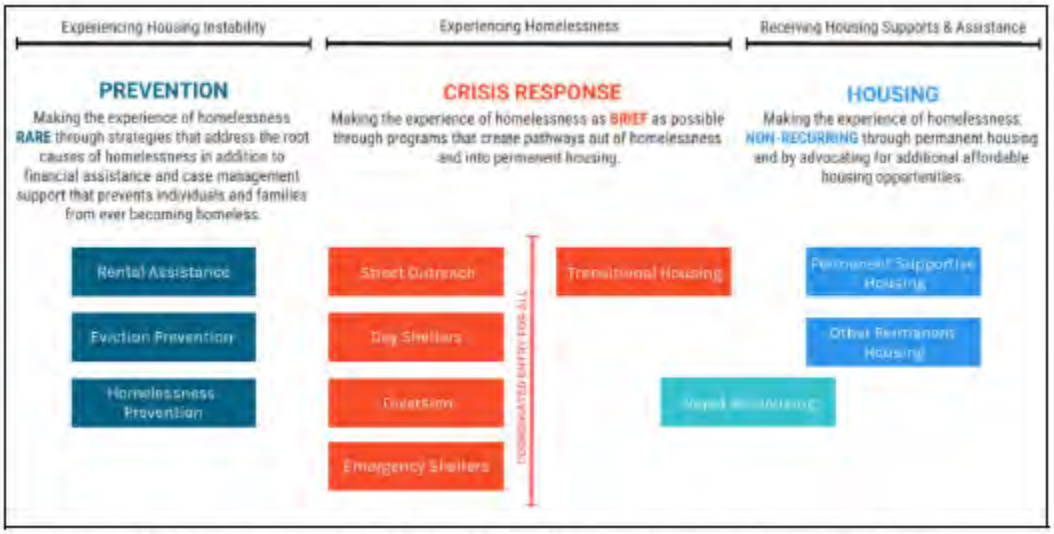
There are five ***strategies*** to achieve the goal. Each strategy addresses homelessness at a different stage of its development:

1. Prevention – addressing the broad conditions that foster homelessness
2. Early intervention – identifying and helping individuals at immediate risk of homelessness
3. Crisis response – ensuring that emergency food, shelter, health care, are available
4. Transition – helping people gain skills to live on their own
5. Permanent affordable housing – achieving reintegration into the community

Each strategy has one or more key ***actions***.

Lewiston Auburn Homeless Strategy - 2009 1

The strategy laid out in 2009 (above) has changed very little as demonstrated by the current day Continuum of Care implementation and strategy graphic (below). The key to addressing and ending homelessness is not simply the development of new affordable housing units but bust include a priority focus on prevention and crisis intervention.



Continuum of Care graphic provided by Jessica Chow, Hub Coordinator, Androscoggin County

Still, the development of new, affordable housing units in needed as part of a wholistic approach to ease the congestion within the current shelter as well as transitional housing systems. Waiting lists for services at the housing authorities are long. By leveraging private developers to construct more affordable units and engage with the Section 8 voucher program multiple agencies would be increasing efficiency and ability to better serve the 434 low-to-moderate income residents currently on the Section 8 wait list. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable goals.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

Housing inventory has been a recent topic for all income brackets within Auburn and Lewiston as of late. Private development of multi-unit housing projects is on the rise across Auburn. As reported by the Auburn Planning & Permitting Department, there are a total of 102 new units in 3 different projects expected to come into service by the end of 2022. Another 423 new units are also in process to be completed by 2023, and 196 seeking approval for 2024. The large, and rapid increase in new unit development, coupled with Auburn Housing Authority's conversion to a voucher-based system will have a notable impact on addressing not just the over-all housing shortage, but will also make much needed headway in the alleviation of the shortage of affordable housing. This increase will better serve the current 454 housing voucher holders currently on the waitlist within the jurisdiction.

The Lewiston Shelter Committee has completed the most recent and comprehensive assessment of housing services. In their report they identified that rents have risen 38.2% over the past 10 years which not only places more families within the at-risk population as the percentage of their housing-cost burdens go up but has driven more new residents to relocate to the area from more expensive markets. Even with substantially new affordable units going online demand is outpacing supply and thus creating scarcity.

The Lewiston Shelter Committee was also very prescriptive in their determination that the jurisdiction needs an additional 80-160 shelter beds to meet demand. Although the process to develop and support new additional shelter development has received substantial community and political opposition, including a moratorium stopping any new shelter development in Lewiston, zoning reforms are under way in both cities to help aid in the development of new affordable housing units.

HOME-ARP Activities

Describe the method(s)that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

The ALHC will draft a Request for Proposals (RFP) to choose projects, service providers and developers to receive HOME-ARP awards. The applicants must demonstrate how funding will be used to create affordable housing and provide allowable services as detailed by HUD CPD notice 21-10. These services may include the following:

- Childcare and related expenses

- Education services
- Employment Assistance and job training
- Food
- Housing search and counseling services
- Legal services
- Life Skills training
- Mental health services
- Outpatient health services
- Substance abuse treatment services
- Transportation
- Case management
- Services for special populations
- Financial assistance

Applicants will be scored according to a rubric including points for criteria such as developer experience, capacity building, services offered, housing need, project readiness, compliance to existing land use requirements, and availability of match funding. Applicants must submit application materials by a specific deadline. Applications will be scored by the ALHC management team and will award funding in order of scoring results until there are no remaining funds available. The applicants will be developers or service providers who must describe their own experience as well as that of any service providers, contractors, or consultants with whom they wish to partner. Application exhibits must demonstrate the financial feasibility of the projects, conformity to HOME-ARP requirements, commitments for services and other funding sources, site control, compliance with land use requirements, and detailed construction plans.

Describe whether the PJ will administer eligible activities directly:

These services are being developed in response to quantifiable data collected by the Auburn Lewiston HOME Consortium in partnership with multiple city department, service providers and non-profits. This plan contains two key elements. The first is to provide funding for qualified services to include both **Tenant Based Rental Assistance (TBRA)**, which includes security deposits and utility deposits for qualified households, as well as **Direct Support Services (DSS)** to include McKinney-Vento Support Services and Homelessness Prevention supportive services directly as described above as well as competitively selecting local service providers to fill identified service gaps.

The second key element will be the creation of a Crisis Response Team (CRT) comprised by a Housing Resource Coordinator funded by HOME-ARP as well as a Mental Health service provider funded by city ARPA funds. The City of Auburn will be creating one 3-year field service provider position focused on responding to the needs of community members experiencing homelessness, who are at risk of homelessness or who are fleeing domestic/dating violence, sexual assault, or human trafficking. These services will be provided directly by city staff when possible. Where

specialization is required, clients will be referred, and services facilitated by approved grant subrecipients.

These direct support service providers, housed in the Auburn Community Development Office, will work proactively across city departments including the School Departments, Police Departments and General Assistance Departments to provide advocacy and support services to residents at their time of need. These positions will assist with identifying unsheltered homeless or at-risk neighbors through direct outreach with and referrals from the Auburn Police Department, Auburn Fire Department, Auburn School Department, Public Health Manager, and General Assistance Manager as needed. This may include meeting with individuals in encampments, shelters, warming locations, and other locations not meant for human habitation. The work schedule will include some evening and weekend hours where the Specialist will assess the needs of the individuals identified and facilitate placement into emergency or short-term housing as needed.

By engaging with the new HUB Coordinator through a dedicated Housing Resource Coordinator position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable referrals to the Coordinated Entry system, partners operating transitional or supportive housing or permanent housing when available.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all the PJ's HOME-ARP program:

The ALHC did not provide administration funds to a subrecipient prior to HUD's acceptance of the HOME-ARP allocation plan.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	$994,419	58%	
Acquisition and Development of Non-Congregate Shelters	$0	0%	
Tenant Based Rental Assistance (TBRA)	$60,000	4%	
Development of Affordable Rental Housing	$350,000	21%	
Non-Profit Operating	$90,000	5%	5%
Non-Profit Capacity Building	$0	0%	5%
Administration and Planning	$206,410	12%	15%
Total HOME ARP Allocation	**$1,700,829**	**100%**	

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds. Auburn, serving as the program sponsor, utilizes 75% of the portion of the allocations which can be set aside for administration of the HOME program to cover the overall administration of the program for the Consortium. Lewiston utilizes the remaining 25% for their administration costs. The balance of current year allocations is then divided evenly between both cities to provide programing.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

Families and individuals who are homeless or at risk of homelessness require access to many numerous types of resources and services. The gap analysis performed by the ALHC identified the three highest priorities as being affordable housing and supportive services. This approach is intended to quickly and successfully connect individuals and families experiencing homelessness to permanent housing as well as the supportive services needed to maximize housing stability and prevent returns to homelessness.

What the MSHA PIT, the CHAS & ACS data clearly demonstrates is the need for better data. The lack of use of the HMIS system can be addressed by the city service providers reporting all their interactions and activities around housing, homelessness, and at-risk populations either directly or indirectly to the coordinated entry system. This ALHC takes the lack of on the ground data seriously and has built in a mechanism for not just responding to the demonstrated needs which have been established through direct consultation with area service providers and locally executed community surveys, but also provides for a new direct service provider which will be reporting to the MSHA system. This will build the basis for developing a more permanent, sustainable, and integrated response system which meets the unmet needs of the homeless and at-risk population.

Current day MSHA has made dramatic steps to improve local services for the homeless population by, as recently as March 2022, funding a new HUB Coordinator position located at Lewiston Housing Authority whose role will be to better assess the current data collection methods and coordinate service delivery through the various and disparately funded shelters and service providers.

HOME-ARP Production Housing Goals

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

The ALHC anticipates 4 affordable rental units for qualified populations will be produced with HOME-ARP funds.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

The ALHC will prioritize projects that are able to be developed quickly and that can operate with sufficient operating and supportive service dollars to meet the needs of tenants. As noted above, it is anticipated that at least 4 units of affordable rental housing units will be developed. The units developed with HOME-ARP funds will meet the ALHC's Consolidated Plan Priorities of Improving and Preserving the Quality of Housing and Expanding Affordable Housing Opportunities.

Preferences

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

Referral Methods

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

A waitlist will be established for each HOME-ARP project.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

Limitations in a HOME-ARP rental housing or NCS project

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

The ALHC will not limit eligibility to a particular qualifying population.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not limit eligibility to a particular qualifying population.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation using HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

The ALHC will not limit eligibility to a particular qualifying population.

HOME-ARP Refinancing Guidelines

Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity

The ALHC will not provide refinancing activities with HOME-ARP funds.

Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Specify the required compliance period, whether it is the minimum 15 years or longer.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Other requirements in the PJ's guidelines, if applicable:

The ALHC will not provide refinancing activities with HOME-ARP funds.

HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and Anti-displacement and Relocation Plan --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.

_____ _____

Phillip L. Crowell DATE
City Manager

ORDER 132-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby amend the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **Ordinance:** 21-09192022

Author: Jeff Tardif, General Assistance Manager-Health & Social Services

Subject: Adoption of Appendices for General Assistance, Effective 10/01/2022 through 9/30/2023

Information: I am seeking approval of the new General Assistance maximums. They Are: Appendix A (The GA overall maximums), Appendix B (the food maximums), Appendix C (Lewiston/Auburn MSA rental maximums), and Recovery Residences.

These maximums are established as a matter of State law based on certain federal and HUD fair market values. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with title 22 M.R.S.A § 4305(4).

****By adopting the new appendices A-C, the program will be in compliance and receive the 70% reimbursement from the State****

City Budgetary Impacts: The overall maximums (Appendix A) are an average increase of $21.00 per person/household per month. The food maximums (Appendix B) are an average increase of $25.00 per individual per month. The housing maximums (Appendix C) are an average increase of $53.00 per household per month. Electricity (Appendix D) with and without hot water increased $9.00 per person, per month. *There are no changes in appendices E-H*

Staff Recommended Action: Approval of changes to the General Assistance Appendices A-C, and Recovery Residences as required by State statute and ordinance. First reading: 9/19/2022. Second reading: 10/03/2022.

Previous Meetings and History: This is a yearly approval needed by council when changes are made to the appendices.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Health & Social Services FY 22/23
Appendix A, Overall Maximums
Appendix B, Food Maximums
Appendix C, Housing Maximums
Recovery Residences
Ordinance & Adoption form for 22/23

***Please review the attached appendices A-C and Recovery Residences ***

Budgetary Impacts:

For Appendix A: The overall maximum was increased slightly this year (see chart below). This is the maximum amount that General Assistance can assist for a 30-day period.

Current Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1 $754.00	2 $811.00	3 $1,042.00	4 $1,335.00	5 $1,652.00

New Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1 $795.00	2 $859.00	3 $1,099.00	4 $1,427.00	5 $1,728.00

For Appendix B: The overall food maximums have increased (see chart below). These amounts are set by the USDA Thrifty Food Plan and take into effect on October 1st, 2021.

Number in household	Old SNAP amount	New SNAP amount
1	**$250.00**	**$281.00**
2	**$459.00**	**$516.00**
3	**$658.00**	**$740.00**
4	**$835.00**	**$939.00**
5	**$992.00**	**$1,116.00**
6	**$1,190.00**	**$1,339.00**
7	**$1,316.00**	**$1,480.00**
8	**$1,504.00**	**$1,691.00**

For Appendix C: The housing maximums had a slight increase this year (see chart below). The Department of Housing and Urban Development (HUD) sets these new guidelines based on the fair market value of property in our area.

Current housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
Bedroom Size	Weekly	Monthly	Weekly	Monthly
0	$140.00	$601.00	$163.00	$701.00
1	$143.00	$616.00	$174.00	$749.00
2	$185.00	$796.00	$226.00	$970.00
3	$241.00	$1,038.00	$291.00	$1,251.00
4	$299.00	$1,285.00	$360.00	$1,549.00

New housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
Bedroom Size	Weekly	Monthly	Weekly	Monthly
0	$153.00	$660.00	$181.00	$780.00
1	$159.00	$684.00	$196.00	$842.00
2	$203.00	$872.00	$251.00	$1,078.00
3	$267.00	$1,150.00	$326.00	$1,403.00
4	$322.00	$1,386.00	$395.00	$1,699.00

Recovery Residences: (New)

Lewiston/Auburn MSA	Heated	
As of 7/1/2022	Weekly	Monthly
	$131.08	561.75

Lewiston/Auburn MSA	Heated	
As of 10/1/2022	Weekly	Monthly
	$147.35	$631.50

Prior to July 1st, 2022, Auburn GA was paying $273.00 a month for recovery residence rent (based on the previous rule).

Appendix A
Effective: 10/01/22-09/30/23

2022-2023 GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household 1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	826	955	1,219	1,515	2,071
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,016	1,075	1,409	1,865	1,991
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	795	859	1,099	1,427	1,728
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	789	792	1,043	1,302	1,420
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,263	1,463	1,893	2,415	2,958
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	874	1,031	1,253	1,650	1,880

Prepared by MMA
8/2022

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,072	1,082	1,355	1,717	1,984
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,237	1,293	1,699	2,194	2,934

***Note: Add $75 for each additional person.**

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	692	754	881	1,185	1,353
Franklin County	728	774	909	1,229	1,566
Hancock County	890	925	1,110	1,397	1,529
Kennebec County	819	835	1,038	1,360	1,451
Knox County	844	848	1,038	1,378	1,471
Lincoln County	925	941	1,178	1,463	1,912
Oxford County	814	815	993	1,400	1,627
Piscataquis County	701	752	926	1,227	1,477
Somerset County	755	790	1,017	1,323	1,416
Waldo County	970	972	1,155	1,441	1,970
Washington County	756	758	982	1,228	1,343

*** Please Note: Add $75 for each additional person.**

Appendix B
Effective: 10/01/22 to 09/30/23

2022-2023 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2022, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	$ 65.35	$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00

Note: For each additional person add $211 per month.

2022-2023 GA Housing Maximums
(Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. *(See Instruction Memo for further guidance.)*

Non-Metropolitan FMR Areas

Aroostook County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	123	528	157	676
1	126	541	171	735
2	140	604	200	859
3	197	846	270	1,159
4	218	935	308	1,323

Franklin County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	131	564	165	712
1	131	564	176	755
2	147	632	206	887
3	207	890	280	1,203
4	267	1,148	357	1,536

Hancock County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	176	755	204	875
1	176	755	211	908
2	205	883	253	1,089
3	260	1,120	319	1,373
4	276	1,187	349	1,500

Kennebec County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	159	684	187	804
1	159	684	190	818
2	189	811	237	1,017
3	252	1,083	311	1,336
4	258	1,109	331	1,422

Non-Metropolitan FMR Areas

Knox County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	165	709	193	831
1	157	673	193	831
2	189	811	237	1,017
3	256	1,101	315	1,354
4	263	1,129	335	1,442

Lincoln County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	184	790	212	910
1	184	790	215	924
2	221	951	269	1,157
3	276	1,186	335	1,439
4	365	1,570	438	1,883

Oxford County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	158	679	186	799
1	158	679	186	799
2	178	766	226	972
3	261	1,123	320	1,376
4	299	1,285	372	1,598

Piscataquis County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	125	537	159	685
1	125	539	171	733
2	151	649	210	904
3	206	888	279	1,201
4	246	1,059	336	1,447

Somerset County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	620	172	740
1	144	620	180	773
2	184	790	232	996
3	243	1,046	302	1,299
4	250	1,074	322	1,387

Non-Metropolitan FMR Areas

Waldo County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	194	835	222	955
1	194	835	222	955
2	216	928	264	1,134
3	271	1,164	329	1,417
4	379	1,628	451	1,941

Washington County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	621	172	741
1	144	621	172	741
2	176	755	224	961
3	221	951	280	1,204
4	233	1,001	306	1,314

Metropolitan FMR Areas

Bangor HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	161	691	189	811
1	181	780	218	938
2	231	992	279	1,198
3	288	1,238	347	1,491
4	402	1.729	475	2,042

Cumberland Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	205	881	233	1,001
1	209	900	246	1,058
2	275	1,182	323	1,388
3	369	1,588	428	1,841
4	383	1,649	456	1,962

Lewiston/Auburn MSA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	153	660	181	780
1	159	684	196	842
2	203	872	251	1,078
3	267	1,150	326	1,403
4	322	1,386	395	1,699

Metropolitan FMR Areas

Penobscot Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	152	654	180	775
1	152	654	180	775
2	190	816	238	1,022
3	238	1,025	297	1,278
4	251	1,078	323	1,391

Portland HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	262	1,128	290	1,248
1	300	1,288	336	1,446
2	387	1,666	435	1,872
3	497	2,138	556	2,391
4	608	2,616	681	2,929

Sagadahoc Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	172	739	200	859
1	199	856	236	1,014
2	239	1,026	287	1,232
3	319	1,373	378	1,626
4	358	1,538	430	1,851

York Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	218	937	246	1,057
1	218	937	248	1,065
2	262	1,128	310	1,334
3	335	1,440	394	1,693
4	382	1,642	455	1,955

York/Kittery/S. Berwick HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	256	1,102	284	1,222
1	260	1,118	297	1,276
2	342	1,472	390	1,678
3	446	1,917	505	2,170
4	603	2,592	676	2,905

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is ***not automatically*** entitled to the "maximums" established—applicants must demonstrate need.

1) Electricity Maximums for Households *Without Electric Hot Water*: The maximum amounts allowed for utilities, for lights, cooking and other electric uses ***excluding*** electric hot water and heat:

Number in Household	Weekly	Monthly
1	$19.95	$ 85.50
2	$22.52	$ 96.50
3	$24.97	$107.00
4	$27.53	$118.00
5	$29.88	$128.50
6	$32.55	$139.50

NOTE: For each additional person add $10.50 per month.

2) Electricity Maximums for Households *With Electrically Heated Hot Water*: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ***excluding*** heat:

Number in Household	Weekly	Monthly
1	$29.63	$127.00
2	$34.07	$146.00
3	$39.67	$170.00
4	$46.32	$198.50
5	$55.65	$238.50
6	$58.68	$251.50

NOTE: For each additional person add $14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

Number in Household	Weekly Amount	Monthly Amount
1-2	$10.50	$45.00
3-4	$11.60	$50.00
5-6	$12.80	$55.00
7-8	$14.00	$60.00

NOTE: For each additional person add $1.25 per week or $5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	$12.80	$55.00
2	$17.40	$75.00
3	$23.30	$100.00
4	$27.90	$120.00

Appendix G
Effective: 10/01/22-09/30/23

2022-2023 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 46 cents (46¢) per mile.

Please refer to the Office of the State Controller for changes to this rate at 626-8420 or visit http://www.state.me.us/osc/

Prepared by MMA
8/2022

2022-2023 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2022 to September 30, 2023.**

APPENDIX A - OVERALL MAXIMUMS

County	Persons in Household					
	1	2	3	4	5	6

NOTE: For each additional person add $75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B - FOOD MAXIMUMS

Number in Household	Weekly Maximum	Monthly Maximum
1	$ 65.35	$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00

NOTE: For each additional person add $211 per month.

APPENDIX C - HOUSING MAXIMUMS

	Unheated		Heated	
Number of Bedrooms	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

2022-2023 GA Housing Maximums
Recovery Residences
The following Recovery Residence maximums are in effect from 10/1/2022- 9/30/2023

Non-Metropolitan FMR Areas

Aroostook County	Recovery Residence Rates	
	Weekly	Monthly
	128.63	551.25

Franklin County	Recovery Residence Rates	
	Weekly	Monthly
	132.13	566.25

Hancock County	Recovery Residence Rates	
	Weekly	Monthly
	158.90	681.00

Kennebec County	Recovery Residence Rates	
	Weekly	Monthly
	143.15	613.50

Knox County	Recovery Residence Rates	
	Weekly	Monthly
	145.43	623.25

Lincoln County	Recovery Residence Rates	
	Weekly	Monthly
	161.70	693.00

Oxford County	Recovery Residence Rates	
	Weekly	Monthly
	139.83	599.25

Piscataquis County	Recovery Residence Rates	
	Weekly	Monthly
	128.28	549.75

Somerset County	Recovery Residence Rates	
	Weekly	Monthly
	135.28	579.75

Waldo County	Recovery Residence Rates	
	Weekly	Monthly
	167.13	716.25

Washington County	Recovery Residence Rates	
	Weekly	Monthly
	129.68	555.75

Metropolitan FMR Areas

Bangor HMFA	Recovery Residence Rates	
	Weekly	Monthly
	164.15	703.50

Cumberland Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	185.15	793.50

Lewiston/Auburn MSA	Recovery Residence Rates	
	Weekly	Monthly
	147.35	631.50

Penobscot Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	135.63	581.25

Portland HMFA	Recovery Residence Rates	
	Weekly	Monthly
	253.05	1084.50

Sagadahoc Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	177.45	760.50

York Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	186.38	798.75

York/Kittery/S. Berwick HMFA	Recovery Residence Rates	
	Weekly	Monthly
	223.30	957.00

The Adoption Process

The **municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers conduct a ***notice and hearing*** prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;

2) End public discussion, close the hearing; and

3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance.

City of Auburn, Maine
General Assistance Office
Jeff Tardif, Manager
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov |
207.333.6601 Extension 1411

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of **Auburn**, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2022, through September 30, 2023. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this_____ **day of** _____ **2022**, by the municipal officers:

Richard S. Whiting, Ward 1 _____
(Signature)

Ryan A. Hawes, Ward 2 _____
(Signature)

Stephen G. Milks, Ward 3 _____
(Signature)

Joseph R. Morin, Ward 4 _____
(Signature)

Leroy G. Walker, Sr., Ward 5 _____
(Signature)

Belinda A. Gerry, At-Large _____
(Signature)

Dana N. Staples, At-Large _____
(Signature)

ORDINANCE 21-09192022

City Council Ordinance

IN CITY COUNCIL

AMENDING CHAPTER 24, ARTICLE II, DIVISION 1, SEC. 24-23 OF THE GENERAL ASSISTANCE ORDINANCE ANNUAL ADJUSTMENT OF MAXIMUM BENEFITS.

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2022 through September 30, 2023, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

(a) Each year the Maine Municipal Association provides the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:

(1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.

(2) Appendix B, a listing of maximum levels of assistance for food.

(3) Appendix C, a listing of maximum levels for heated and unheated housing.

(b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the Office of the City Clerk.

Editor's note— The appendices referred to in this section are not codified but are available in the office of the city clerk.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **Order:** 133-09192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Directing the City Manager to draft a Request for Proporal procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council

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Information: At the September 6, 2022 Council meeting, the Mayor discussed his proposed ad-hoc committee and noted that this would be coming back to the Council on September 19, 2022 for a council vote directing the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm.
This RFP will be drafted and published no later than sixty days from passage of this order. Selected respondent and associated cost will be presented to Council for review, approval, and funding.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage

Previous Meetings and History: September 6, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Memo from Mayor presented at the 9/6/202 Council meeting.

City of Auburn, Maine

Mayor Jason J. Levesque

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

September 1, 2022

Memorandum: Mayors Ad Hoc Committee to develop permit ready housing plans

To: Auburn City Council, Auburn Planning Board, City Manager Crowell
CC: City Staff

As Auburn continues to experience high demand for multiple housing types coupled with our continual comprehensive plan implementation, we are faced with multiple questions on what type of home, how many units are allowable and who could design such a building are becoming common.

We are also faced with residents justified concerns that new construction will not fit into the current neighborhood aesthetic. In order to alleviate neighborhood concerns and provide a guide to builders, I am forming an Ad Hoc committee charged with the following: develop shovel ready building plans that will be offered as permit ready, and free of charge. Several plans should be developed for each of the following categories:

1. Townhome style homes, stand alone or up to a four pack
2. Detached ADU's
3. Single family homes on historically non-conforming lots (minimum road frontage)
4. Duplexes, triplexes, and fourplexes

The make up of this committee will be as follows:

1. Two residents from each of our five wards
2. Two planning board members chosen by either the Chair or by vote of the body
3. City staff as deemed appropriate by the City Manager
4. A paid architectural firm to be chosen through the city policy

I have asked the City manager to present an RFP and budget for the architectural firm at our next meeting for council approval.

Timeframe will be determined by the Ad Hoc committee, but the goal is to submit the plans to the planning board for approval or modification by February 2023.

While choosing a plan from this list shall not be a mandatory condition of construction, by offering these shovel ready plans free of charge to builders, the intent is to expedite and make new construction more cost effective while guiding style to what is acceptable within the neighborhoods that they will be built within.

ORDER 133-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby directs the City Manager to draft a Request for Proposal (RFP) procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council. This RFP will be drafted and published no later than sixty days from passage of this order. Selected respondent and associated cost will be presented to Council for review, approval, and funding.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: September 19, 2022 **Order:** 134-09192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Rules & Procedures Governing Open Session/Public Comment

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Information: The City Manager will review a the proposed Rules & Procedures Governing Open Session and Public Comment.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the proposed City Council Rules & Procedures Governing Open Session and Public Comment.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Draft Rules & Procedures Governing Open Session/Public Comment

RULES & PROCEDURES GOVERNING OPEN SESSION/PUBLIC COMMENT

City Council meetings are conducted to carry on the official business of the City of Auburn. All meetings of the City Council, except Executive Sessions, are open to the public. The public is cordially invited to attend City Council meetings, and to participate in them consistent with the provisions of this policy and with the exception of Council workshops, which are primarily intended for the Council and staff to review and discuss items prior to their appearance on a regular City Council meeting.

The intent of this policy is to allow a fair and adequate opportunity for the public to be heard, to express opinions and concerns related to the business of the City, and to provide adequate time for the City Council to obtain information and opinions on subjects before it while ensuring that the time allowed for public input does not interfere with the addressing the scheduled agenda.

To carry out these purposes, the following rules and procedures shall govern the public comment period at all Auburn city council meetings:

GENERAL OPEN SESSION

An open session, or public comment period, shall be conducted near the beginning and end of all regular City Council meetings, at which time Auburn residents will have the opportunity to be heard on matters directly relating to City business that ARE NOT included on the regular agenda. Individuals addressing the Council during the public comment period will limit their comments to (3) three minutes. Up to forty-five (45) minutes will be allocated for general public comment periods. If the general public comment period exceeds 45 minutes, the public comment period will be suspended by the Mayor to allow the Council to conduct its business and out of courtesy for those attending the meeting for a specific agenda item. If needed, the open session will continue at end of the meeting as listed in the agenda. The Council will not engage in dialogue with the public during this time. Questions posed during the public comment period will be followed up upon after the meeting. Individuals requesting further information should leave their contact information with the City Clerk.

Open session will not be conducted at workshops, emergency meetings, or special meetings of the City Council.

ADDRESSING SPECIFIC AGENDA ITEMS

Public comments will be allowed during a meeting on those items requiring a public hearing and on other items appearing on the agenda. These comments should be DIRECTLY related to the specific agenda item being addressed. Public comments will not be taken during workshops unless a request is made to the Mayor by an individual Councilor.

RULES GOVERNING OPEN SESSION

1. Since meetings are broadcast and recorded, persons wishing to speak must use the public podium located to the left side of the audience, and speakers must preface their comments by giving their full name and address.

2. Comments must be limited to issues or concerns DIRECTLY related to Auburn municipal government. Public comment on matters not related to the City business will not be allowed, so as

to make sure that all meetings are carried out in a productive and efficient time and in keeping with the interests of all who attend and participate in a Council meeting.

3. Per state law, found in Title 1, Section 408, complaints or charges from the public about an individual employee will not be permitted. Such comments should be directed to the City Manager for their immediate follow-up and review.

4. Comments related to the following will be ruled out of order by the Mayor:

    a. Specific situations that are in litigation, including those in which the City is a party (issues of a criminal or legal nature should be addressed with the Auburn Police Department or other criminal justice agency). Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided;
    b. Personal disputes between the speaker and other private residents not germane to City business; or
    c. Support for or opposition to any candidate for political office.

5. Individuals will be restricted to speaking once during the general public comment period and once per public comment period for each specific agenda item.

6. Individuals addressing the Council shall direct their remarks exclusively to the Mayor. No person other than the elected officials and the individual at the podium shall be permitted to enter into any discussion, either directly or through members of the Council. The public comment period is an opportunity for residents to express their views on matters relating to City business.

7. As a limited designated public forum, the City Council does not have the right to prohibit disparaging, rude and other remarks of a personal nature. But, because of the potential implications, including personal liability of the speakers, speakers are encouraged to strive to be accurate in their statements and avoid making personal, rude, or provocative remarks.

8. All statements should respect the dignity and seriousness of the proceeding.

9. Persons present at Council meetings shall not interrupt, nor applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting, except for those instances that are listed on the Council Agenda under Public Recognition where the Mayor or a City Councilor are formally recognizing and individual or group for their accomplishments.

FAILURE TO FOLLOW GUIDELINES

The Mayor will limit commentary that is determined not to be germane to City business or the topic at hand, or which violates any of the guidelines listed above. The Mayor will direct any individual not operating in accord with these guidelines to cease such action or risk being asked to be seated or removed. If such conduct continues, the Mayor will call a recess, request the removal of such person(s) from the Chambers, adjourn the meeting, or take other such appropriate action. Repeated violations by any individual will result in the Mayor revoking that individual's right to speak at future meetings. Should the Mayor fail to take action, any Councilor may move that the Mayor enforce the rules and guidelines and, if denied, request that the Council vote on the motion.

ORDER 134-09192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby adopts the City Council Rules & Procedures Governing Open Session and Public Comment.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: Phillip Crowell, City Manager

FROM: Jill Eastman, Finance Director

REF: August 2022 Financial Report

DATE: September 19, 2022

The following is a discussion regarding the significant variances found in the City's August financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its second month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 16.66% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues, for the City, collected through August 31st were $8,939,432, or 12.68%, of the budget, which is lower than last year at this time by 1.21%. The accounts listed below are noteworthy.

A. Excise taxes of $815,854-down $31,591 from last year.

B. Property tax revenue of $6,010,500 an increase over last year of $713,925. This is due to the timing of sending out the tax bills. This year we were about a week earlier than last fiscal year.

C. State Revenue Sharing for the month of August is 24.6% or $1,108,342. This is an increase over last year of $169,644.

Expenditures

City expenditures through August 31st were $5,392,895, or 10.51%, of the budget as compared to last year at $5,166,108 or 10.97%. Noteworthy variances are:

In the current fiscal year, the percentage of expenditures is actually less than last year by .46% but $226,787 difference. Most of the departments are in line with last year's expenditures.

Investments

This section contains an investment schedule as of August 31st with a comparison to July 31st. Currently the City's funds are earning an average interest rate of 0.41%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of August 2022, July 2022, and June 2021

	August 2022	July 2022	Increase (Decrease)	UNAUDITED JUNE 30 2022
ASSETS				
CASH	$ 44,657,967	$ 31,153,176	$ 13,504,791	$ 25,056,314
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,519,401	1,626,297	(106,896)	1,461,282
TAXES RECEIVABLE-CURRENT	43,355,340	49,168,588	(5,813,248)	42,636
DELINQUENT TAXES	453,121	454,722	(1,601)	395,714
TAX LIENS	1,132,483	1,205,846	(73,363)	1,297,627
NET DUE TO/FROM OTHER FUNDS	(12,171,614)	(2,993,010)	(9,178,604)	4,391,622
TOTAL ASSETS	**$ 78,946,699**	**$ 80,615,619**	**$ (1,668,920)**	**$ 32,645,195**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (637,591)	$ (578,178)	$ (59,413)	$ (824,510)
PAYROLL LIABILITIES	2,962,075	2,955,134	6,941	2,948,844
ACCRUED PAYROLL	(91)	(91)	(0)	(263,746)
STATE FEES PAYABLE	(92,786)	(95,132)	2,346	(183)
ESCROWED AMOUNTS	(40,436)	(40,426)	(10)	(40,426)
DEFERRED REVENUE	(44,790,589)	(50,678,781)	5,888,192	(1,585,602)
DUE TO OTHER FUNDS	-	-	-	-
TOTAL LIABILITIES	**$ (42,599,418)**	**$ (48,437,474)**	**$ 5,838,056**	**$ 234,377**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (33,348,465)	$ (29,179,328)	$ (4,169,137)	$ (29,880,756)
FUND BALANCE - RESTRICTED	(2,309,553)	(2,309,553)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(689,263)	(689,263)	-	(689,263)
TOTAL FUND BALANCE	**$ (36,347,281)**	**$ (32,178,144)**	**$ (4,169,137)**	**$ (32,879,572)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (78,946,699)**	**$ (80,615,618)**	**$ 1,668,919**	**$ (32,645,195)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH August 31, 2022 VS August 31, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU AUG 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 52,463,320	$ 6,010,500	11.46%	$ 50,042,450	$ 5,296,575	10.58%	$ 713,925
PRIOR YEAR TAX REVENUE	$ -	$ 27,139		$ -	$ 168,045		$ (140,906)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,770,000	$ 417,888	23.61%	$ 1,650,000	$ 1,290,048	78.18%	$ (872,160)
EXCISE	$ 4,435,000	$ 815,854	18.40%	$ 4,425,000	$ 847,445	19.15%	$ (31,591)
PENALTIES & INTEREST	$ 120,000	$ 4,420	3.68%	$ 120,000	$ 10,972	9.14%	$ (6,552)
TOTAL TAXES	$ 58,788,320	$ 7,275,802	12.38%	$ 56,237,450	$ 7,613,085	13.54%	$ (337,283)
LICENSES AND PERMITS							
BUSINESS	$ 190,000	$ 44,066	23.19%	$ 166,000	$ 38,909	23.44%	$ 5,157
NON-BUSINESS	$ 195,250	$ 88,282	45.21%	$ 300,200	$ 87,003	28.98%	$ 1,279
TOTAL LICENSES	$ 385,250	$ 132,348	34.35%	$ 466,200	$ 125,912	27.01%	$ 6,436
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 400,000	$ -	0.00%	$ 390,000	$ -	0.00%	$ -
STATE REVENUE SHARING	$ 4,504,100	$ 1,108,342	24.61%	$ 3,150,000	$ 938,698	29.80%	$ 169,644
WELFARE REIMBURSEMENT	$ 83,912	$ 36,248	43.20%	$ 90,656	$ 4,160	4.59%	$ 32,088
OTHER STATE AID	$ 32,000	$ -	0.00%	$ 32,000	$ -	0.00%	$ -
CITY OF LEWISTON	$ 182,000	$ -	0.00%	$ 228,384	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 5,202,012	$ 1,144,590	22.00%	$ 3,891,040	$ 942,858	24.23%	$ 201,732
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 361,400	$ 41,861	11.58%	$ 184,400	$ 23,354	12.66%	$ 18,507
PUBLIC SAFETY	$ 30,800	$ 13,377	43.43%	$ 176,600	$ 18,505	10.48%	$ (5,128)
EMS TRANSPORT	$ 1,350,000	$ 253,875	18.81%	$ 1,250,000	$ 237,626	19.01%	$ 16,249
TOTAL CHARGE FOR SERVICES	$ 1,742,200	$ 309,114	17.74%	$ 1,611,000	$ 279,485	17.35%	$ 29,629
FINES							
PARKING TICKETS & MISC FINES	$ 28,000	$ 4,332	15.47%	$ 41,500	$ 11,529	27.78%	$ (7,197)
MISCELLANEOUS							
INVESTMENT INCOME	$ 30,000	$ 3,306	11.02%	$ 40,000	$ 2,491	6.23%	$ 815
RENTS	$ 75,000	$ 4,524	6.03%	$ 125,000	$ 4,315	3.45%	$ 209
UNCLASSIFIED	$ 20,000	$ 13,749	68.74%	$ 20,000	$ 17,997	89.99%	$ (4,248)
COMMERCIAL SOLID WASTE FEES	$ -	$ 12,881		$ -	$ 12,822		$ 59
SALE OF PROPERTY	$ 100,000	$ 102	0.10%	$ 120,000	$ 341	0.28%	$ (239)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 240,000	$ 38,685	16.12%	$ 234,000	$ 38,685	16.53%	$ 0
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,140,000	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 619,000	$ -	0.00%	$ 473,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
CDBG	$ 588,154	$ -	0.00%	$ 252,799	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ -	0.00%	$ 20,000	$ 259	1.30%	$ (259)
CITY FUND BALANCE CONTRIBUTION	$ 1,500,000	$ -	0.00%	$ 475,000	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 4,332,154	$ 73,247	1.69%	$ 2,900,724	$ 76,910	2.65%	$ (3,663)
TOTAL GENERAL FUND REVENUES	**$ 70,477,936**	**$ 8,939,432**	12.68%	**$ 65,147,914**	**$ 9,049,779**	13.89%	**$ (110,347)**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 34,826,024	$ -	0.00%	$ 28,900,061	$ 5,395,577	18.67%	$ (5,395,577)
EDUCATION	$ 489,465	$ -	0.00%	$ 518,821	$ 15,119	2.91%	$ (15,119)
SCHOOL FUND BALANCE CONTRIBUTION	$ 1,251,726	$ -	0.00%	$ 879,404	$ -	0.00%	$ -
TOTAL SCHOOL	$ 36,567,215	$ -	0.00%	$ 30,298,286	$ 5,410,696	17.86%	$ (5,410,696)
GRAND TOTAL REVENUES	**$ 107,045,151**	**$ 8,939,432**	**8.35%**	**$ 95,446,200**	**$ 14,460,475**	**15.15%**	**$ (5,521,043)**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH August 31, 2022 VS August 31, 2022

DEPARTMENT	FY 2023 BUDGET	EXP THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	EXP THRU AUG 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 170,500	$ 9,024	5.29%	$ 104,850	$ 5,574	5.32%	$ 3,450
CITY MANAGER	$ 510,978	$ 73,635	14.41%	$ 447,401	$ 87,222	19.50%	$ (13,587)
COMMUNICATIONS & ENGAGEMENT	$ 218,746	$ 25,176	11.51%	$ 911,637	$ 328,382	36.02%	$ (303,206)
CITY CLERK	$ 257,506	$ 37,165	14.43%	$ 237,474	$ 28,959	12.19%	$ 8,206
FINANCE	$ 1,138,802	$ 261,449	22.96%	$ 810,303	$ 110,188	13.60%	$ 151,261
HUMAN RESOURCES	$ 222,099	$ 30,689	13.82%	$ 220,250	$ 28,495	12.94%	$ 2,194
INFORMATION TECHNOLOGY	$ 827,000	$ 290,216	35.09%		$ -		$ 290,216
TOTAL ADMINISTRATION	$ 3,345,631	$ 727,354	21.74%	$ 2,731,915	$ 588,820	21.55%	$ 138,534
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 666,629	$ 115,958	17.39%	$ 900,583	$ 108,686	12.07%	$ 7,272
ECONOMIC DEVELOPMENT	$ 286,598	$ 60,827	21.22%	$ 108,469	$ 14,331		$ 46,496
BUSINESS & COMMUNITY DEVELOPMENT	$ 671,411	$ 42,612	6.35%	$ 512,260	$ 40,763		$ 1,849
HEALTH & SOCIAL SERVICES	$ 119,875	$ 9,582	7.99%	$ 119,875	$ 10,181	8.49%	$ (599)
RECREATION	$ 762,440	$ 87,925	11.53%	$ 584,056	$ 86,605	14.83%	$ 1,320
PUBLIC LIBRARY	$ 1,084,437	$ 271,110	25.00%	$ 1,052,163	$ 175,360	16.67%	$ 95,750
TOTAL COMMUNITY SERVICES	$ 3,591,390	$ 588,014	16.37%	$ 3,277,406	$ 435,926	13.30%	$ 152,088
FISCAL SERVICES							
DEBT SERVICE	$ 8,361,254	$ 90,807	1.09%	$ 7,734,169	$ 90,807	1.17%	$ -
CAPITAL INVESTMENT AND PURCHASING	$ 672,473	$ 62,299	9.26%	$ 677,872	$ 183,017	27.00%	$ (120,718)
WORKERS COMPENSATION	$ 698,000	$ -	0.00%	$ 642,400	$ -	0.00%	$ -
WAGES & BENEFITS	$ 7,876,393	$ 1,081,762	13.73%	$ 7,334,932	$ 1,096,675	14.95%	$ (14,913)
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ -	0.00%	$ -
TOTAL FISCAL SERVICES	$ 18,069,350	$ 1,234,868	6.83%	$ 16,850,603	$ 1,370,499	8.13%	$ (135,631)
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,693,284	$ 777,552	13.66%	$ 5,446,588	$ 786,988	14.45%	$ (9,436)
POLICE DEPARTMENT	$ 4,945,034	$ 631,059	12.76%	$ 4,343,924	$ 607,509	13.99%	$ 23,550
TOTAL PUBLIC SAFETY	$ 10,638,318	$ 1,408,611	13.24%	$ 9,790,512	$ 1,394,497	14.24%	$ 14,114
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,600,109	$ 627,998	11.21%	$ 5,077,370	$ 630,773	12.42%	$ (2,775)
SOLID WASTE DISPOSAL*	$ 1,320,000	$ 96,528	7.31%	$ 1,089,950	$ 83,795	7.69%	$ 12,733
WATER AND SEWER	$ 792,716	$ 195,301	24.64%	$ 792,716	$ 195,301	24.64%	$ -
TOTAL PUBLIC WORKS	$ 7,712,825	$ 919,827	11.93%	$ 6,960,036	$ 909,869	13.07%	$ 9,958
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 205,000	$ 202,293	98.68%	$ 177,000	$ 176,115	99.50%	$ 26,178
E911 COMMUNICATION CENTER	$ 1,217,713	$ 304,428	25.00%	$ 1,161,479	$ 290,382	25.00%	$ 14,046
LATC-PUBLIC TRANSIT	$ 431,811	$ -	0.00%	$ 225,000	$ -	0.00%	$ -
LA ARTS	$ 30,000	$ 7,500	25.00%	$ 10,000	$ -		
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 2,144,524	$ 514,221	23.98%	$ 1,833,479	$ 466,497	25.44%	$ 47,724
COUNTY TAX	$ 2,761,220		0.00%	$ 2,611,080	$ -	0.00%	$ -
TIF (10108058-580000)	$ 3,049,803		0.00%	$ 3,049,803	$ -	0.00%	$ -
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 51,313,061**	**$ 5,392,895**	**10.51%**	**$ 47,104,834**	**$ 5,166,108**	**10.97%**	**$ 226,787**
EDUCATION DEPARTMENT	$ 55,732,090	$ -	0.00%	$ 48,341,366	$ 1,856,985	3.84%	$ (1,856,985)
TOTAL GENERAL FUND EXPENDITURES	**$ 107,045,151**	**$ 5,392,895**	**5.04%**	**$ 95,446,200**	**$ 7,023,093**	**7.36%**	**$ (1,630,198)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF August 31, 2022

INVESTMENT		FUND	BALANCE August 31, 2022	BALANCE July 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 7,333,038.60	$ 10,329,135.51	**0.25%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,053,416.59	$ 1,053,014.13	**0.25%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 4,388,575.08	$ 8,339,756.85	**0.25%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,624.69	$ 52,604.61	**0.25%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 340,253.91	$ 340,253.91	**0.25%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 227,189.52	$ 227,102.78	**0.25%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 64,721.14	$ 62,737.38	**0.25%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 264,837.28	$ 264,736.12	**0.25%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,396.58	$ 15,391.36	**0.25%**
NOMURA 1		ELHS Bond Proceeds	$ 10,649,241.97	$ 15,394,867.97	**0.15%**
NOMURA 2			$ 55,430,000.00	$ 55,430,000.00	**2.08%**
GRAND TOTAL			**$ 79,819,295.36**	**$ 91,509,600.62**	**0.41%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2022 - June 30, 2023
Report as of August 31, 2022

	Beginning Balance 8/1/2022	August 2022					Ending Balance 8/31/2022
		New Charges	Payments	Refunds	Adjustments	Write-Offs	
Bluecross	**$ 3,635.74**	$ 13,307.40	$ (1,383.64)		$ (2,438.37)		**$ 13,121.13**
Intercept	**$ 100.00**						**$ 100.00**
Medicare	**$ 100,976.51**	$ 205,712.40	$ (50,440.28)		$ (74,400.29)		**$ 181,848.34**
Medicaid	**$ 67,552.28**	$ 82,386.60	$ (48,656.57)		$ (24,648.67)		**$ 76,633.64**
Other/Commercial	**$ 119,738.85**	$ 50,549.60	$ (25,584.30)	$ 309.01	$ (35,351.40)	$ (18,198.70)	**$ 91,463.06**
Patient	**$ 107,825.82**	$ 12,558.80	$ (10,615.79)	$ 465.96	$ (3,261.81)		**$ 106,972.98**
Worker's Comp	**$ -**	$ 3,664.60	$ (3,556.40)		$ (108.20)		**$ (0.00)**
TOTAL	**$ 399,829.20**	**$ 368,179.40**	**$ (140,236.98)**	**$ 774.97**	**$ (140,208.74)**	**$ (18,198.70)**	**$ 470,139.15**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2022 - June 30, 2023
Report as of August 31, 2022

	July 2022	August 2022	Totals	% of Total
Bluecross	$ 2,477.35	$ 13,307.40	$ 15,784.75	2.48%
Intercept	$ 100.00	$ -	$ 100.00	0.02%
Medicare	$ 155,398.20	$ 205,712.40	$ 361,110.60	56.81%
Medicaid	$ 61,000.80	$ 82,386.60	$ 143,387.40	22.56%
Other/Commercial	$ 38,520.45	$ 50,549.60	$ 89,070.05	14.01%
Patient	$ 8,120.20	$ 12,558.80	$ 20,679.00	3.25%
Worker's Comp	$ 1,803.40	$ 3,664.60	$ 5,468.00	0.86%
TOTAL	$ 267,420.40	$ 368,179.40	$ 635,599.80	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2022 - June 30, 2023
Report as of August 31, 2022

	July 2022	August 2022	Totals	% of Total
Bluecross	3	13	16	2.30%
Intercept	1	0	1	0.14%
Medicare	170	231	401	57.53%
Medicaid	65	88	153	21.95%
Other/Commercial	43	54	97	13.92%
Patient	10	13	23	3.30%
Worker's Comp	2	4	6	0.86%
TOTAL	294	403	697	100.00%

EMS BILLING
AGING REPORT
July 1, 2022 to June 30, 2023
Report as of August 31, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 10,306.35	79%	$ 1,009.20	8%	$ (503.01)	-4%	$ -	0%	$ 2,308.59	18%	$ 13,121.13	2.79%
Intercept	$ 100.00	100%	$ -	0%	$ -	0%	$ -	0%	$ -	0%	$ 100.00	0.02%
Medicare	$ 145,806.88	80%	$ 16,154.20	9%	$ 3,799.80	2%	$ 3,872.87	2%	$ 12,214.59	7%	$ 181,848.34	38.68%
Medicaid	$ 44,033.35	57%	$ 9,798.64	13%	$ 8,652.66	11%	$ 8,076.80	11%	$ 6,072.19	8%	$ 76,633.64	16.30%
Other/Commercial	$ 51,009.37	56%	$ 18,204.63	20%	$ 3,866.70	4%	$ 1,841.53	2%	$ 16,540.83	18%	$ 91,463.06	19.45%
Patient	$ 32,934.12	31%	$ 20,413.01	19%	$ 20,548.62	19%	$ 14,574.04	14%	$ 18,503.19	17%	$ 106,972.98	22.75%
Worker's Comp											$ -	0.00%
TOTAL	$ 284,190.07		$ 65,579.68		$ 36,364.77		$ 28,365.24		$ 55,639.39		$ 470,139.15	
	60%		14%		8%		6%		12%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of August 31, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/22	$ 517,052.67	$ 6,919.98	$ 34,914.39	$ 1,421.68	$ 3,039.35	$ -	$ 4,796.03	$ (566,303.71)	$ 169.19	$ 2,808.57	$ 88,004.08	$ (153,799.68)	$ 4,289.65	$ 23,595.00	$ 4,356.29	$ 5,520.52
Revenues FY23	$ 19,121.80	$ 28.00	$ 20.25			$ -					$ 75,100.00			$ 2,887.50		
Expenditures FY23					$ 15.00	$ 21.97					$ 129,555.83	$ 14,373.10	$ 150.00	$ -		$ 355.93
Fund Balance 08/31/2022	**$ 536,174.47**	**$ 6,947.98**	**$ 34,934.64**	**$ 1,421.68**	**$ 3,024.35**	**$ (21.97)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 169.19**	**$ 2,808.57**	**$ 33,548.25**	**$ (168,172.78)**	**$ 4,139.65**	**$ 26,482.50**	**$ 4,356.29**	**$ 5,164.59**

	2016 Pedestrian Safety	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2050 Project Lifesaver	2051 Project Canopy	2053 St Louis Bells	2054 EMS Transport Capital Reserve
Fund Balance 7/1/22	$ 409.11	$ (8,205.29)	$ 1,274,876.82	$ 30,822.46	$ 46,171.40	$ 2,560.00	$ 8,281.24	$ 20,536.23	$ 22,850.45	$ (930.00)	$ 92,332.26	$ (1,695.00)	$ 189.35	$ (9,519.48)	$ 21,359.27	$ 170,048.62
Revenues FY23			$ 396,807.88	$ 119.34	$ 30,332.00									$ 7,996.88	$ (194.78)	$ 129.91
Expenditures FY23	$ 570.64		$ 388,292.87		$ 1,503.34		$ 1,738.50		$ 500.00							
Fund Balance 08/31/2022	**$ (161.53)**	**$ (8,205.29)**	**$ 1,283,391.83**	**$ 30,941.80**	**$ 75,000.06**	**$ 2,560.00**	**$ 6,542.74**	**$ 20,536.23**	**$ 22,350.45**	**$ (930.00)**	**$ 92,332.26**	**$ (1,695.00)**	**$ 189.35**	**$ (1,522.60)**	**$ 21,164.49**	**$ 170,178.53**

	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2405 Elmina B Sewall Grant	2500 Parks & Recreation	6200 Ingersoll Turf
Fund Balance 7/1/22	$ 4,911.03	$ 898.69	$ -	$ -	$ 209.00	$ 178,046.71	$ (3,500.00)	$ 1,719.02	$ 25,353.61	$ (1,484,407.18)	$ 12,777,731.24	$ (1,443.69)	$ 10,000.00	$ 232,333.87	
Revenues FY23											$ 2,296.40			$ 84,234.43	
Expenditures FY23		$ 604.26	$ -								$ 314,690.04	$ 2,311.70		$ 184,665.39	
Fund Balance 08/31/2022	**$ 4,911.03**	**$ 294.43**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 1,719.02**	**$ 25,353.61**	**$ (1,484,407.18)**	**$ 12,465,337.60**	**$ (3,755.39)**	**$ 10,000.00**	**$ 131,902.91**	**$ -**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/22	**$ 78,950.70**	**$ 806,274.01**	**$ 237,684.12**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	$ 1,120.91	$ 50,241.31	$ 84,060.95	$ 33,113.81	$ 13,914.35	$ (102,204.06)	$ 13,624,818.04
Revenues FY23															$ 618,879.61
Expenditures FY23			$ 3,481.40											$ 3,165.00	$ 1,045,994.97
Fund Balance 08/31/2022	**$ 78,950.70**	**$ 806,274.01**	**$ 234,202.72**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	**$ 1,120.91**	**$ 50,241.31**	**$ 84,060.95**	**$ 33,113.81**	**$ 13,914.35**	**$ (105,369.06)**	$ 13,197,702.68

City of Auburn, Maine
"Maine's City of Opportunity"
Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for August 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of August 31, 2022.

As of the Budget for FY 22 – 23 Ingersoll operations has become part of the Recreation Department and is now budgeted in the General Fund. There is an offset Revenue line in the General Fund to help pay the costs. The only revenue and expenses that will now show in this report are those associated with Revenue Collections for rentals and other programs as well as program specific expenses.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of August 31, 2022.

Current Assets:
As of the end of August 2022 the total current assets of Ingersoll Turf Facility were $227,103. This consisted of cash and cash equivalents of $227,103.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of August 31, 2022, was $61,779.

Liabilities:
Ingersoll had no accounts payable as of August 31, 2022, and an interfund payable of $22,334, which means they owe the General Fund $23,334.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through August 2022 are $10,767. This revenue comes from the sponsorships, programs, rental income and batting cages.

The program operating expenses for Ingersoll Turf Facility through August 2022 were $7,733. These expenses include program supplies, and capital purchases. All building and maintenance costs are now located in the recreation budget.

As of August 31, 2022, Ingersoll has an operating of $3,034.

As of August 31, 2022, Ingersoll has an increase in net assets of $3,034.

Statement of Net Assets
Ingersoll Turf Facility
August 31, 2022
Business-type Activities - Enterprise Fund

		August 31 2022	July 31 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 227,103	$ 227,016	$ 87
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	227,103	227,016	87
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(748,757)	(748,757)	-
	Total noncurrent assets	61,779	61,779	-
	Total assets	288,882	288,795	87
LIABILITIES				
Accounts payable		$ -	$ 186	(186)
Interfund payable		$ 22,334	$ 25,094	(2,760)
Total liabilities		22,334	25,280	(2,946)
NET ASSETS				
Invested in capital assets		$ 61,779	$ 61,779	$ -
Unrestricted		$ 204,769	$ 205,059	$ (290)
Total net assets		**$ 266,548**	**$ 266,838**	**$ (290)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
August 31, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 10,767
Operating expenses:	
Personnel	-
Supplies	3,362
Utilities	
Repairs and maintenance	
Rent	-
Depreciation	-
Capital expenses	4,371
Other expenses	-
Total operating expenses	7,733
Operating gain (loss)	3,034
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	3,034
Transfers out	-
Change in net assets	3,034
Total net assets, July 1	263,514
Total net assets, August 31, 2022	**$ 266,548**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through August 31, 2022 compared to August 31, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU AUG 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship		$ 1,000		$ 25,000	$ 1,000	4.00%
Batting Cages		$ 750		$ 16,000		0.00%
Programs		$ 250		$ 94,000	$ 170	0.18%
Rental Income		$ 8,680		$ 138,000	$ 5,130	3.72%
TOTAL CHARGE FOR SERVICES	$ -	$ 10,680		$ 273,000	$ 6,300	2.31%
INTEREST ON INVESTMENTS	$ -	$ 87		$ -	$ 1,157	
GRAND TOTAL REVENUES	**$ -**	**$ 10,767**		**$ 273,000**	**$ 7,457**	**2.73%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through August 31, 2022 compared to August 31, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU AUG 2021	% OF BUDGET	Difference
Salaries & Benefits	See Recreation Budget			$ 133,041	$ 83,012	62.40%	$ (83,012)
Purchased Services				$ 15,750	$ 5,592	35.50%	$ (5,592)
Programs		$ 3,362		$ 16,300	$ -	0.00%	$ 3,362
Supplies				$ 2,500	$ 20,890	835.60%	$ (20,890)
Utilities				$ 24,150	$ 21,948	90.88%	$ (21,948)
Insurance Premiums	$ -			$ -	$ -		
Capital Outlay	$ -	$ 4,371		$ -	$ 5,556		$ (1,185)
	$ -	$ 7,733		$ 191,741	$ 136,998	71.45%	$ (129,265)
GRAND TOTAL EXPENDITURES	**$ -**	**$ 7,733**		**$ 191,741**	**$ 136,998**	**71.45%**	**$ (129,265)**

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for August 31, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of August 31, 2022.

The Norway Savings Bank Arena report now includes a budget to actual comparison with last fiscal year for both revenues and expenditures.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, July 31, 2022.

Current Assets:
As of the end of August 2022 the total current assets of Norway Savings Bank Arena were ($1,311,794). These consisted of cash and cash equivalents of $280,710, accounts receivable of $49,006, and an interfund payable of $1,641,510, which means that Norway owes the General Fund $1,641,510 at the end of August.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of August 31, 2022 was $147,691.

Liabilities:
NSB Arena had accounts payable of $45,133, and a net pension liability of $86,444 as of August 31, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through August 2022 are $126,563. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through August 2022 were $99,949. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of August 2022, Norway Arena has an operating gain of $26,614 compared to the August 2021 operating gain of $62,345.

As of August 31, 2022, Norway Arena has a increase in net assets of $26,614.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
August 31, 2022
Business-type Activities - Enterprise Fund

		August 31 2022	July 31 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 280,710	$ 279,951	$ 759
Interfund receivables		$ (1,641,510)	$ (1,786,926)	$ 145,416
Prepaid Rent				$ -
Accounts receivable		49,006	60,172	$ (11,166)
	Total current assets	(1,311,794)	(1,446,803)	135,009
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(425,531)	(425,531)	-
	Total noncurrent assets	147,691	147,691	-
	Total assets	(1,164,103)	(1,299,112)	135,009
LIABILITIES				
Accounts payable		$ 45,133	$ -	$ 45,133
Net OPEB liability		$ 43,810	$ 43,810	$ -
Net pension liability		42,634	42,634	-
Total liabilities		131,577	86,444	45,133
NET ASSETS				
Invested in capital assets		$ 147,691	$ 195,258	$ (47,567)
Unrestricted		$ (1,443,371)	$ (1,494,370)	$ 50,999
Total net assets		**$ (1,295,680)**	**$ (1,299,112)**	**$ 3,432**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
August 31, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 126,563
Operating expenses:	
Personnel	47,864
Supplies	3,083
Utilities	6,737
Repairs and maintenance	25,097
Insurance Premium	-
Depreciation	
Capital expenses	12,900
Other expenses	4,268
Total operating expenses	99,949
Operating gain (loss)	26,614
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	26,614
Transfers out	-
Change in net assets	26,614
Total net assets, July 1	(1,322,294)
Total net assets, August 31, 2022	**$ (1,295,680)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through August 31, 2022 compared to August 31, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU AUG 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500		0.00%	$ 16,500	$ 2,000	12.12%	$ (2,000)
Skate Rentals	$ 6,000		0.00%	$ 7,500	$ 425	5.67%	$ (425)
Pepsi Vending Machines	$ 2,000	$ 265	13.25%	$ 3,000	$ 320	10.67%	$ (55)
Games Vending Machines	$ 3,000		0.00%	$ 3,000	$ -	0.00%	$ -
Vending Food	$ 2,000	$ 54	2.70%	$ 3,000	$ -	0.00%	$ 54
Sponsorships	$ 230,000	$ 46,000	20.00%	$ 230,000	$ 49,988	21.73%	$ (3,988)
Pro Shop	$ 7,000		0.00%	$ 7,000	$ 1,076	15.37%	$ (1,076)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 702,000	$ 52,434	7.47%	$ 731,850	$ 59,465	8.13%	$ (7,031)
Camps/Clinics	$ 50,000	$ 16,860	33.72%	$ 50,000	$ 23,360	46.72%	$ (6,500)
Tournaments	$ 50,000	$ 10,950	21.90%	$ 50,000		0.00%	$ 10,950
TOTAL CHARGE FOR SERVICES	$ 1,088,500	$ 126,563	11.63%	$ 1,121,850	$ 136,634	12.18%	$ (10,071)

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through August 31, 2022 compared to August 31, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU AUG 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU AUG 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 291,095	$ 47,864	16.44%	$ 339,437	$ 38,328	11.29%	$ 9,536
Purchased Services	$ 136,900	$ 29,365	21.45%	$ 123,928	$ 8,465	6.83%	$ 20,900
Supplies	$ 76,562	$ 890	1.16%	$ 79,000	$ 21,594	27.33%	$ (20,704)
Utilities	$ 267,000	$ 6,737	2.52%	$ 250,350	$ 5,902	2.36%	$ 835
Capital Outlay	$ 50,000	$ 12,900	25.80%	$ 42,500	$ -	0.00%	$ 12,900
Rent	$ -	$ -		$ -	$ -		$ -
	$ 821,557	$ 97,756	11.90%	$ 835,215	$ 74,289	8.89%	$ 23,467
GRAND TOTAL EXPENDITURES	**$ 821,557**	**$ 97,756**	**11.90%**	**$ 835,215**	**$ 74,289**	**8.89%**	**$ 23,467**

City Council Workshop & Meeting
Agenda
October 3, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Executive session – Legal consultation, pursuant to 1 M.R.S.A. §405(6)(E).
- **B.** City Council Retreat – Phil Crowell
- **C.** Pre-Approved Ready to Build Housing RFP – Phil Crowell
- **D.** Executive session - Economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.
- **E.** Executive session - Economic development, pursuant to 1 M.R.S.A. §405(6)(C). Premature disclosure would prejudice the competitive or bargaining position of the City.

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Walker

Pledge of Allegiance

I. **Consent Items -** All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. **Order 135-10032022***
Confirming Chief Moen's appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as Constables with firearm for the Auburn Police Department.

II. **Minutes -** September 19, 2022, Regular Council Meeting

III. **Communications, Presentations and Recognitions**

- Communication - Lake Auburn Watershed Protection Commission Resolution
- T-4.2B Education Presentation Schedule
- Council Communications (about and to the community)

IV. **Open Session –** *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Order 125-09062022
Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

2. Ordinance 21-09192022
Amending the GA Maximum Appendices. Second reading.

VI. New Business

1. **Ordinance 22-10032022**
   Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees. of the City Code. Public hearing and first reading.

2. **Ordinance 23-10032022**
   Adopting the Street Tree Sustainability Ordinance. Public hearing and first reading.

3. **Resolve 08-10032022**
   Requesting increased State involvement for better outcomes for those unhoused.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Author: Phil Crowell, City Manager

Subject: City Council Retreat

Information: The city council met November 8, 2021, for a retreat to develop the council vision and goals for the 2022 / 2023 term. At the retreat, we also discussed projects and budget goals.

To plan for the upcoming retreat, the council should determine the date, location, and topics for the agenda.

The final vision and goals document is attached as a review. Staff will be prepared to provide council with an update on the goals at the retreat.

City Budgetary Impacts:
N/A

Staff Recommended Action:
Discussion

Previous Meetings and History:
N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: 2022 – 2023 City Council Vision and Goals

2021-2023 City Council Vision:

Auburn will embrace **possibilities** and create **opportunities**

The City of Auburn & the Auburn City Council are committed to promoting diversity, equity and inclusion. Our municipal government understands that embracing equity is fundamental to Auburn's continued success. Our "equity lens" and core values of **compassion, empathy, collaboration, accountability, diversity, leadership and service** will be applied to all decision-making. This will lead to positive outcomes including: thriving people, a thriving economy and a thriving community.

Council Goals

We will make our vision a reality by...

Planning for a better future

Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development. Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable, satisfying lifestyle. Recognize the value of historic, cultural, and artistic assets and activities in enriching lives and promoting community life. Support the development of future opportunities in culture and arts.

Reclaiming our streets

Develop clear identities for Auburn's downtown and industrials park that consider scale, connectivity, use and integrity to maximize their appeal. Invest in and maintain infrastructure necessary to provide a sustainable, safe, and livable environment.

Making housing more attainable

Efficiently utilize current housing stocks and sustainable targeted residential development that supports and attracts growth, residents, and workforce.

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.

Enacting resilient solutions

Create, support, and market an accessible, connected, and diverse network of recreation and natural resources that provides both destinations and pathways for residents. Continue to improve access to training programs designed to address workforce gaps. Provide diverse, well-rounded education by partnering with available resources and businesses. Protect funding and support educators, facilities, and accessibility.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to draft a Request for Proposal procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

Information: The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. This RFP will be drafted and published no later than sixty days from passage of this order. Selected respondent and associated cost will be presented to Council for funding approval. Proposal is tentatively due November 10, 2023. With completed deliverables by February 28, 2023.

City Budgetary Impacts: TBD by competitive RFP.

Staff Recommended Action: Review the written RFP suggest the council assign the Ad-hoc committee.

Previous Meetings and History: September 6 & 19 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Written draft RFP

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
www.auburnmaine.gov | 207.333.6601
60 Court Street, Auburn, Maine 04210

September 30, 2022

Dear Bidder,

The City of Auburn is accepting written **Engineering and Architectural (AE) proposals** for the Planning, Permitting and Code Department's **Shovel Ready Housing Plan.** The City reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality the City may determine necessary. The City also reserves to itself the exclusive right to accept any proposal when it is deemed by the City to be in its best interest. The City of Auburn is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any proposal, the City may consider, but not be limited to, any of the following factors: Bidder qualifications, price, experience, financial standing with the City, warranties, references, bonding, delivery date, and service of Bidder. Vendors/Consultants shall be current on all amounts due to the City of Auburn prior to the City entering into any contract agreement. All proposals must include FOB to Auburn, Maine unless otherwise specified.

Proposals will not receive consideration unless submitted in accordance with the following instructions to bidders.

Please mark sealed envelopes plainly: **Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans BID #2023-009."**

Questions regarding this Request for Bids should be written and directed to John Blais, Deputy Director of Planning, Permitting and Code, at jblais@auburnmaine.gov.

Please note: To bid, a required pre-submission meeting will be required to attend on Tuesday, October 18, 2022 at 10:00am in the Community Room, 60 Court Street, Auburn, ME.

Please submit your proposal to the City of Auburn by 2:00 p.m. **Thursday, November 10th, 2022.** Proposals will be opened at 2:00 p.m. Proposals must be delivered to **Derek Belanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time and date listed above.

Sincerely,

John Blais
Planning, Permitting and Code

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CONDITIONS AND INSTRUCTIONS TO BIDDERS

1. Bidders shall use the enclosed bid form for quotations. Whenever, in bid forms, an article is defined by using a trade name or catalog number, the term "or approved equal", if not inserted, shall be implied.

2. Submit a separate unit price for each item unless otherwise specified in the bid request. Award will be made on a basis of each item, or as a group, whichever is in the best interest of the City. Prices stated are to be "delivered to destination".

3. Bid proposals must be completed in full, in ink and must be signed by firm official. Bid proposal **must be notarized** prior to bid being sealed and will be disqualified if not notarized. Bids may be withdrawn prior to the time set for the official opening.

4. Bids will be opened publicly. Bidders or representatives may be present at bid opening.

5. Awards will be made to the lowest responsible bidder, considering the quality of the materials, date of delivery, cost which meets specification and is in the best interest to the City of Auburn.

6. All transportation charges, including expense for freight, transfer express, mail, etc. shall be prepaid and be at the expense of the vendor unless otherwise specified in the bid.

7. The terms and cash discounts shall be specified. Time, in connection with discount offered, will be computed from date of delivery at destination after final inspection and acceptance or from date of correct invoice, whichever is later.

8. The City is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. Please quote less these taxes. Upon application, exemption certificate will be furnished with the Purchase Order when required.

9. Time of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.

10. No contract may be assigned without the written consent of the Finance Director or her designate. The contract shall not be considered valid until a purchase order has been issued to the successful bidder.

11. Please state "**Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans BID #2023-009."** on submitted, sealed envelope. Please submit your proposal to the City of Auburn by 2:00 p.m. **Thursday, November 10th, 2022.** Proposals will be opened at 2:00 p.m. Proposals must be delivered to **Derek Belanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time and date listed above

12. The City of Auburn reserves the right to waive any formality and technicality in bids whichever is deemed best for the interest of the City of Auburn.

13. The City of Auburn may reduce the scope pursuant to overall prices.

14. Bidder will clearly outline all options that are included in the bid price.

GENERAL CONDITIONS

1. Equal Employment Opportunity

The City of Auburn is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and Consultant or their agents doing business with the City shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the City of Auburn.

2. Save Harmless

The Bidder agrees to protect and save harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.

3. Subcontracting

The Bidder shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the municipality. Neither party shall assign or transfer its interest in the contract without the written consent of the other party. Unless the subConsultant is identified in the RFP proposal and part of the team.

4. Warranty

The Bidder warrants that all work will be of good quality and free from faults and defects, and in conformance with the specifications. All work not so conforming to these standards may be considered defective. The Bidder agrees to be responsible for the acts and omissions of all of its employees and all subconsultants, their agents and employees, and all other persons performing any of the work under a contract with the Bidder.

5. Safety

The Consultant shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the work.

The Consultant shall comply with MUTCD standards for work signs and with OSHA for employee highway safety equipment.

The Consultant shall take all reasonable precautions for the safety of, and shall provide all reasonable protection to prevent damage, injury, or loss to:

- All employees and others on or near the work site.
- Materials and equipment, whether in storage on or off the site, under the care, custody or control of the Consultant or any of its subconsultants.

The Consultant shall give all notices and comply with all applicable laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the safety of persons or property of their protection from damage, injury, or loss.

SCOPE OF WORK

The City of Auburn intends to use contractual services to perform the following Services:

1. 300 SF Tiny House Design
2. 700 SF (Carriage House) One-story Single-Family Design
3. 1,000 SF (14-20' Narrow House) Single Family Design
4. 1,200 SF (Standard House) Single Family Design
5. 1,780 SF Stacked Duplex Design
6. 2, 640 SF Triple Stacked with Finish Attic Design
7. 4, 350 SF Small Apartment Complex 6 Units Design
8. 8,700 SF Medium Apartment Complex 12 Units Design

The 8 building designs will include the following; site plan for the most restrictive zoning to include setbacks, required parking, building elevations with façade options, floorplans, foundation plans and framing details to include cross-section structural roof truss or rafter plans, window opening, minimum BTU requirement, cost estimate and cover sheet that list MUBEC adopted codes and standards. Deliverable will include

- 2021 International Residential Code (IRC)
- 2021 International Building Code (IBC)
- 2021 International Existing Building Code (IEBC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Mechanical Code (IMC)
- NFPA & ADA Requirement for buildings over 3 or more units.

The CONSULTANT shall provide all labor, materials, equipment, and the maintenance thereof, fuel and oils, etc. necessary to complete the job in a timely fashion. All costs associated with the performance of the contract shall be the sole responsibility of the CONSULTANT and shall be reflected in a "Lump Sum" (LS) per Design package for a total of 8 packages.

Work to be Performed

The Consultant's Scope of Work for this Project includes the following deliverable elements:

1. Sketch plan phase (25% completion)
2. Preliminary plan phase (75% completion)
3. Final plan phase (100% completion)

All work shall be done at such times as the Consultant and City of Auburn shall deem appropriate. Weekly work schedule will be coordinated by the Planning, Permitting and Code Department. Work shall not begin in any area without specific notification of, and approval by the City.

PROGRAM MANAGEMENT

The Contract shall be managed by the Planning, Permitting and Code Department of the City of Auburn. It is expected that informal weekly progress and facilitation meetings will be held with the Consultant, and that a formal concise written progress report may be required from the Consultant on a no more frequent than bi- weekly basis in a format determined by the Deputy Director, Planning, Permitting and Code or his designee.

Schedule

The City of Auburn intends to have this work performed from December 1, 2022, to February 28, 2023.

PROPOSAL EVALUATION CRITERIA

The City of Auburn will evaluate proposals and select a Consultant based on a combination of the following factors:

20% Qualifications and relevant experience of the firm.
20% Qualifications and relevant experience of the firm's proposed staff.
20% Quality of references from similar work completed recently.
20% The extent to which the proposed solution matches the needs of the City of Auburn.
20% Cost of associated services requested.

REQUIREMENTS AND FORMAT OF THE PROPOSAL

Consultants responding to this RFP shall submit their proposals, organized and presented as outlined below. Accuracy and completeness are essential. Since the successful proposal will be incorporated into the contract, Consultants are cautioned not to make claims or statements to which they are not prepared to commit to contractually.

The Consultant must provide the following with the proposal:

- Business Name, Contact Information, Owner(s)
- Short History of Business (existing customers, experience, specialties, etc.)
- Proof of Commercial Liability Insurance (listing of City as additional insured will be required)
- List of equipment to be used in performance of specified work

Letter of Transmittal

The Proposal must consist of a letter of transmittal signed by an individual authorized to bind the Consultant contractually. It shall:

- Concisely identify the services offered in the proposal.

- State that the proposal will remain in effect for a period of thirty (30) calendar days after the deadline for submission of proposals.
- Include the name, title, address, telephone number and email address of one or more contact individuals.
- Include the name, title, address, telephone number and email address of one or more individuals who are authorized to sign a contract.

Understanding of the Scope of Work

In this section, Consultant should notify the City of Auburn of any potential difficulties that might arise in implementing the work. The City requires prospective Consultants to **attend a pre-submission meeting will be required to attend on Tuesday, October 18, 2022 at 10:00am in the Community Room, 60 Court Street, Auburn, ME.**

Relevant Experience and Client References

Interested firms should submit one paper copy and one electronic copy of a Letter of Interest with a Statement of Qualifications which includes the firm's response to each of the following criteria.
A. qualifications to undertake this project;
B. documented experience with budgets, estimating, and project cost control;
C. list of projects that demonstrate the firm's capabilities;
D. list of recently completed work of similar type and size projects, with client contact information for each project;
E. organization of team and profiles of key personnel who would be involved in the project;
F. statement of current workload and ability to absorb the project; and
G. list of business references other than those listed above, including contact information.

SAMPLE AGREEMENT

THIS AGREEMENT is made this ### day of ***Month, Year***, by and between the CITY OF AUBURN, a municipal corporation existing under the laws of the State of Maine and located in the County of Androscoggin, State of Maine (hereinafter "CITY"), ***Company Name, Address, EIN***, (hereinafter "CONSULTANT"),

WITNESSETH:
In consideration of the mutual covenants and conditions contained herein, the CITY and the CONSULTANT agree as follows:

SPECIFICATIONS:
1. The CONSULTANT shall furnish all of the material and perform all of the work shown on the drawings and described in the specifications entitled: ***Bid #*** 2023-009 ***Bid Title*** which are attached hereto and made a part hereof, and the CONSULTANT covenants that it shall do everything required by this Agreement, the Special Provisions of the Agreement, the Invitation to Bid and the Specifications in return for payment as provided herein.

COMPLETION DATE:

2. The work to be performed under this Agreement shall be commenced by ***Month day, year*** and fully completed on or before ***Month day, year.***

CONTRACT PRICE:
3. The CITY shall pay the CONSULTANT for the performance of the Agreement, the sum of $***XXX.***

PERFORMANCE BOND:
4. If required by the City, the CONSULTANT shall furnish to the CITY at the time of the execution of this Agreement a performance bond and a labor and material payment bond each in the amount of ***$Dollar amount or N/A (whichever applies)*** executed by a surety company satisfactory to the CITY, guaranteeing the performance and payment by the CONSULTANT.

❑ Yes, Required (Initials: ____) X No, Waived (Initials _JAB__)

GUARANTEE:
5. The CONSULTANT shall guarantee his work against any defects in workmanship and materials for a period of one year from the date of the CITY's written acceptance of the project.

PERMITS AND LICENSES:
6. Permits and licenses necessary for the prosecution of the work shall be secured and paid by the CONSULTANT.

CITY'S RIGHT TO TERMINATE CONTRACT:
7. If the CONSULTANT should be adjudged a bankrupt, or if it should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of its insolvency, or if it should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to supply enough properly skilled workmen or proper materials, or if it should fail to make prompt payment to subconsultants or for material or labor, or persistently disregard laws, and ordinances, or otherwise be guilty of a substantial violation of any provision of the Agreement, then the CITY when sufficient cause exists to justify such action, may, without prejudice to any other right or remedy and after giving the CONSULTANT, and his surety, seven (7) days written notice, terminate the employment of the CONSULTANT and take possession of the premises and of all materials, tools and appliances thereon and finish the work by whatever method it may deem expedient. In such case the CONSULTANT shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the Agreement price shall exceed the expense of the finishing the work, including compensation for additional architectural, managerial, and administrative services, such excess shall be paid to the CONSULTANT. If such expense shall exceed such unpaid balance, the CONSULTANT shall pay the difference to the CITY.

CONSULTANT'S LIABILITY INSURANCE:
8. The CONSULTANT shall not commence work under this Agreement until he has obtained all insurance required under this paragraph and such insurance has been approved by the CITY, nor shall the CONSULTANT allow any subConsultant to commence work on his subcontract until all similar insurance required of subConsultant has been so obtained and approved. **It is a requirement that the CITY be named as an Additional Insured on the General Liability and Automobile Liability policies.**

(a) **Commercial General Liability** to include products and completed operations, and blanket contractual. The limits of liability shall be as follows:

Bodily Injury and Property Damage	$1,000,000
Personal Injury and Advertising Injury	$1,000,000
Per Project Aggregate	$1,000,000
General Aggregate	$2,000,000
Products and Completed Operations Aggregate	$2,000,000
Medical Payments	$10,000

(b) **Business Automobile Liability**
The CONSULTANT shall maintain and cause all sub-Consultants and lower tier Consultants to maintain business automobile liability insurance covering all owned, non-owned, leased, rented or hired automobiles (symbol 1). The limits of liability shall be as follows:

Bodily Injury and Property Damage	$1,000,000

Automobile physical damage coverage shall be at the option of the CONSULTANT, all sub-Consultants and lower tier Consultants. The CITY shall not be liable for physical loss or damage to any owned, non-owned, leased, rented or hired automobile.

(c) **Workers' Compensation Insurance**
The CONSULTANT shall maintain and cause all sub-Consultants and lower tier Consultant's to maintain Workers' Compensation and Employers Liability in accordance with the laws and regulations of the State of Maine. The limits of liability provided shall be as follows:

Coverage A: Statutory
Coverage B: $100,000/$500,000/$100,000

(d) **Professional Liability**
If the CONSULTANT is an Architect, Engineer or Surveyor, they shall maintain a policy of insurance to pay on their behalf whatever amounts that may become legally required to pay on account of an error, omission or negligent act.

Limits of Liability shall be as follows:
$1,000,000 per occurrence and in the aggregate site specific.

It is a requirement that this policy be maintained for a period of three (3) years following completion of the project.

(e) **Certificates of Insurance** of the types and in the amounts required shall be delivered to the CITY prior to the commencement of any work by the CONSULTANT, subConsultant or lower tier Consultant or any person or entity working at the direction or under control of the CONSULTANT. The CONSULTANT shall assume the obligation and responsibility to confirm insurance coverage for all sub-Consultants or lower tier Consultants who will participate in the project.

(f) The Certificate of Insurance and the policies of insurance shall include a sixty (60) day notice to the CITY of cancellation, non-renewal or material change in coverage or form.

(g) The CONSULTANT and his surety shall indemnify and save harmless the CITY, his officers and employees from all suits, actions or claims of any character brought because of any injuries or damage received or sustained by any person, persons or property on account of the operations of the said CONSULTANT; or on account of or in consequence of any neglect in safeguarding the work; or through use of unacceptable materials in construction of the work; or because of any act or omission, neglect, or misconduct of said CONSULTANT; or because of any claims or amounts recovered from any infringements or patent trademark, or copyright; or from any claims or amounts arising or recovered under the "Workmen's Compensation Act" or of any other law, ordinance, order or decree; and so much of the money due to the said CONSULTANT under and by virtue of his/her contract as shall be considered necessary by the CITY for such purpose, may be retained; or in case no money is due, his surety may be held until such suit or suits, action or actions, claim or claims, for injuries or damages as aforesaid shall have been settled and suitable evidence to that effect furnished to the CITY.

(h) **Waiver of Subrogation**
Payment of any claim or suit including any expenses incurred in connection therewith by the CITY, or any insurance company on behalf of the CITY shall not constitute a waiver of subrogation against the CONSULTANT, sub-Consultants or any lower tier Consultant in the event that such claim or suit was caused by or contributed to as a result of the negligent acts of the CONSULTANT, any sub-Consultants or lower tier Consultants.

(i) **Construction Agreement**
The CONSULTANT shall and does hereby agree to indemnify, save harmless and defend the CITY from the payment of any sum or sums of money to any person whomsoever on account of claims or suits growing out of injuries to persons, including death, or damages to property, caused by the CONSULTANT, his employees, agents or sub-Consultants or in any way attributable to the performance and execution of the work herein contracted for, including (but without limiting the generality of the foregoing), all claims for service, labor performed, materials furnished, provisions and suppliers, injuries to persons or damage to property, liens, garnishments, attachments, claims, suits, costs, attorney's fees, costs of investigation and defense. It is the intention of this paragraph to hold the CONSULTANT responsible for the payment of any and all claims, suits, or liens, of any nature character in any way attributable to or asserted against the CITY, or the CITY and the CONSULTANT, which the City may be required to pay. In the event the liability of the CONSULTANT shall arise by reason of the sole negligence of the CITY and/or the sole negligence of the CITY's agents, servants or employees, then and only then, the CONSULTANT shall not be liable under the provisions of this paragraph.

DAMAGES:
9. The CONSULTANT shall defend, indemnify and save harmless the CITY and all persons acting for or on behalf of it against all claims for injuries (including death), loss or damage, arising out of the performance out this contract.

LIENS:
10. Neither the final payment nor any part of the retained percentage shall become due until the CONSULTANT, if required, shall deliver to the CITY a complete release of all liens arising out of the Agreement, or receipts in full in lieu thereof and, if required in either case, an affidavit that so far as it has

knowledge or information the releases and receipts include all the labor and material for which a lien could be filed; but the CONSULTANT may, if any SUB-CONSULTANT refuses to furnish a release or receipt in full, furnish a bond satisfactory to the CITY to indemnify it against any lien. If any lien remains unsatisfied after all payment are made, the CONSULTANT shall refund to the CITY all moneys that the latter may be compelled to pay in discharging such a lien, including all costs and a reasonable attorney's fee.

ASSIGNMENT:
11. Neither party to the Agreement shall assign the Agreement or sublet it as a whole without the written consent of the other, nor shall the CONSULTANT assign any moneys due or to become due to it hereunder, without the previous written consent of the CITY.

SUBCONTRACTS:
12. The CONSULTANT shall not sublet any part of this Agreement without the written permission of the CITY. The CONSULTANT agrees that it is as fully responsible to the CITY for the acts and omissions of its SUB-CONSULTANTS and of persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by it.

USE OF PREMISES:
13. The CONSULTANT shall confine its apparatus, the storage of materials and operations of its workers to limits indicated by law, ordinance and permits and shall not otherwise unreasonably encumber the premises with materials. If any part of the project is completed and ready for use, the CITY may, by written and mutual consent, without prejudice to any of its rights or the rights of the CONSULTANT, enter in and make use of such completed parts of the project. Such use or occupancy shall in no case be construed as an acceptance of any work or materials.

CLEANING UP:
14. The CONSULTANT shall at all times keep the premises free from accumulation of waste materials or rubbish caused by its employees or work, and at the completion of the work it shall remove all its rubbish from and about the project, and all its tools, scaffolding and surplus materials and shall leave its work "broom-clean" or its equivalent, unless more exactly specified. In case of dispute, the CITY may remove the rubbish and charge the cost to the CONSULTANT.

PAYMENTS:
15. Unless otherwise agreed to, the CITY shall make payments on account of the Agreement as follows: Within 30 days, as invoices are submitted for work completed to the satisfaction of the CITY.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

BY: _____ BY: _____

Witness Finance Director

BY: _____

BY: _____

Witness
Consultant

BID PROPOSAL FORM

Due: Thursday, November 10, 2022

To: CITY OF AUBURN, MAINE
Derek Belanger, Facilities Manager/Purchasing Agent
60 Court Street,
Auburn, ME 04210

The undersigned individual/firm/business guarantees this price for Thirty days (30) from the bid due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the City of Auburn, Maine. By signing this bid form, the firm listed below hereby affirms that its bid meets the minimum specifications and standards as listed above.

Signature _____ Name (print) _____

Title _____ Company _____

Address _____

Telephone No. _____ Fax No. _____

Email Address: _____

STATE OF MAINE
_____, SS. Date: _____,

Personally appeared _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

_____
Notary Public

_____
Print Name

Commission Expires _____

Engineering and Architectural (AE) Proposals, Shovel Ready Housing Plans Bid

BID SCHEDULE 2022

:

1. 300 SF **Tiny House Design Package:** _____
2. 700 SF (**Carriage House) One-story Single-Family Design Package:** _____
3. 1,000 SF **(14-20' Narrow House) Single Family Design Package:** _____
4. 1,200 SF **(Standard House) Single Family Design Package:** _____
5. 1,780 SF **Stacked Duplex Design Package:** _____
6. 2, 640 SF **Triple Stacked with Finish Attic Design Package:** _____
7. 4, 350 SF **Small Apartment Complex 6 Units Design Package:** _____
8. 8,700 SF **Medium Apartment Complex 12 Units Design Package:** _____

TOTAL COST:_____

The (8) building design packages will include the following; (8) site plans for the most restrictive zoning to include setbacks and required parking, (8) building elevations with façade options, (8) floorplans, (8) foundation plans, (8) framing details to include cross-section structural roof truss or rafter plans, (8) window opening plans, (8) minimum BTU requirement, (8) cost estimates, (8) cover sheet that list MUBEC adopted codes and standards.

- 2021 International Residential Code (IRC)
- 2021 International Building Code (IBC)
- 2021 International Existing Building Code (IEBC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Mechanical Code (IMC)
- NFPA & ADA Requirement for buildings over 3 or more units

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022 **Order:** 135-10032022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Information: Request that the City Council confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
N/A

ORDER 135-10032022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Moen's appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as a Constable with firearm for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING SEPTEMBER 19, 2022, VOL. 36 PAGE 296

Mayor Levesque called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda

1. Order 127-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Corp. located at 78 & 80 Hotel Road.

2. Order 128-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Co., LLC. located at 522 Washington Street.

3. Order 129-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, dba Morris Auto Parts located at 940 Washington St. N.

4. Order 130-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.

5. Order 131-09192022*
Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the five consent items.

Passage 7-0.

II. Minutes - September 6, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the September 6, 2022, Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

Council Communications (about and to the community)

Mayor Levesque reported that he attended a walk through of the new Edward Little High School adding that it is going to be a great asset to the students and community. He also noted that the Blues and Brews Festival was a huge hit.

Councilor Staples reported that on Thursday, September 29th at 5:30 p.m. the Auburn Public Library will hold it's Annual Meeting. The social hour begins at 5:30 and the business meeting will begin at 6:00 p.m. He also wanted to promote the Auburn City website which has a feature where citizens can subscribe to emails to receive notification on upcoming meetings of the Council and Planning Board and more.

Councilor Whiting reported that the Lake Auburn Watershed Protection Commission is building a Trail on the Tot Lot and on Sunday, the Auburn Nordic Ski Association cleaned up the cuttings of a new trail.

City Manager Crowell reported that the Maine Town and City Clerk's Association presented the City with a plaque for their support of the Association and the City Clerk.

IV. Open Session – No one from the public spoke.

V. Unfinished Business

1. Ordinance 20-09062022
Amending the zoning district T-4.2B. Second reading.

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

Public comment –

Ronald Lebel, Coachman Avenue, said that he objects to the rezoning proposal and would suffer particularized injury if it were to be enacted. A letter was provided to the City Clerk.

Scott Berry, Davis Avenue, provided a list of some potential businesses that could fit into the neighborhoods nicely without impacting on the ambiance of the neighborhoods living space.

Elizabeth Dunn, 530 Court Street, stated that it is a shame that we've had to spend our taxpayer dollars for legal counsel to convince the public that their actions are legal. She stated that she would like the City Council to vote this down.

Motion was made by Councilor Morin and seconded by Councilor Staples to postpone this item until November 7th with the intention that Mr. Cousens and the Planning office staff would redemonstrate the presentation of 9/6/22.

Passage 5-2 (Councilors Gerry and Whiting opposed).

VI. New Business

1. **Public hearing** - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2020.

Public hearing – No one from the public spoke.

2. Public hearing - CDBG/HOME Consolidated Annual Performance Evaluation Report (CAPER) Program Year 2021.

Public hearing – No one from the public spoke.

3. **Order 132-09192022**
Amending the PY21 Action Plan to include the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

Motion was made by Councilor Whiting and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 7-0.

4. **Ordinance 21-09192022**
Amending the GA Maximum Appendices. Public hearing and first reading.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

5. **Order 133-09192022**
Directing the City Manager to draft a Request for Proposal (RFP) procuring the solicitation of engineering and/or architectural services as part of the Accessory Dwelling Unit Initiative proposed by Council.

Motion was made by Councilor Walker and seconded by Councilor Hawes for passage.

Public comment – Maureen O'Brien, Whitney Street stated that if Councilors want to hear what people think they should answer phone calls.

Passage 7-0.

6. **Order 134-09192022**
Adopting the Rules & Procedures Governing Open Session and Public Comment.

Motion was made by Councilor Milks and seconded by Councilor Staples for passage.

Public comment –

Andy Titus, 24 Rubelite Lane, stated that he likes this but is not a believer of voting on something that is workshopped in the same night. He also thinks we should keep the second open session.

Pam Rousseau, 745 West Auburn Road, also has concerns about eliminating the 2nd open session.

Scott Berry, 179 Davis Avenue, would like to give people 5 minutes to speak instead of 3 minutes.

Motion was made by Councilor Staples and seconded by Councilor Walker to continue to maintain the second open session as we've been doing.

Passage 7-0.

Motion was made by Councilor Gerry and seconded by Councilor Staples to amend to state that when questions are asked, they are given an answer at the next Council meeting if possible.

Motion failed 3-4 (Councilor Whiting, Hawes, Milks, and Walker opposed).

Motion was made by Councilor Staples to amend by striking rule #4. Motion failed for lack of a second.

Passage of Order 134-09192022 as amended, 7-0.

VII. Open Session - Pam Rousseau, 745 West Auburn Road, stated that people do not realize that the Court Street T-4.2B does not just impact Court Street, it impacts the city core.

VIII. Reports (from sub-committees to Council)

Councilor Milks reported that there is a Sewer District meeting tomorrow (Tuesday) at 5:30 p.m. at AVCOG regarding the increase in Sewer rates.

City Manager Crowell reported that the Assistant City Manager, Brian Wood, is attending the ICMA conference in Ohio. The County budget work will begin on September 21st at the County Building, and MMA's Legislative Policy Committee work begins this week.

Jill Eastman, Finance Director – August Finance Report

Motion was made by Councilor Hawes and seconded by Councilor Walker to accept and place on file the August Finance Report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment – Motion was made by Councilor Walker and seconded by Councilor Hawes to adjourn. Unanimously approved and the meeting adjourned at 7:57 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

Lake Auburn Watershed Protection Commission

September 14, 2022

Resolution of the Lake Auburn Watershed Protection Commission Regarding:

City of Auburn Proposed Revisions to the Lake Auburn Watershed Zoning Ordinance

The following resolution was adopted on the 14nd day of September, 2022 by the Commissioners of the Lake Auburn Watershed Protection Commission (the "Commission") by a vote of 5 yes, 2 no, 1 abstention at the Commission's regularly scheduled meeting on September 14, 2022:

WHEREAS, in 1993, the Lake Auburn Watershed Protection Commission ("Commission") was formed with the principal purpose to maintain safe and healthful environmental conditions within the Lake Auburn Watershed, to prevent and control water pollution and to protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed, and

WHEREAS, the Commission has the authority to take legal action to enforce the laws and ordinances relative to the watershed and drinking water pollution, to such extent as is required to protect the watershed or waters of Lake Auburn in order to maintain its purity and the exemption from filtration requirements under the surface water treatment rules adopted under the Safe Drinking Water Act; and

WHEREAS, Lake Auburn is the public drinking water supply for water consumers in the City of Auburn and also (pursuant to Chapter 153 of the Laws of 1899) is the public drinking water supply for the City of Lewiston; and

WHEREAS, the United States Environmental Protection Agency, pursuant to the Safe Drinking Water Act, promulgated rules in June of 1989 calling for the filtration of all surface water supplies that cannot meet stringent criteria with respect to purity; and

WHEREAS, the 2010 City of Auburn Comprehensive Plan; Chapter 1(A), provides Goals, Objectives and Strategies with regard to natural resources, with Goal A.1 expressing the public's desire to: "Maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid the need for costly treatment;" and

WHEREAS, the Auburn Water District has adopted a by-law regarding the land located within the Lake Auburn Watershed Overlay District, which provides that, "These zoning and land use policies, and the enforcement of them, are deemed to provide sufficient protection for the water supply from the adverse effects of human activities in the watershed," which conclusion is premised on the existing development standards, restrictions, and definitions presently applicable to the underlying zoning districts within the Lake Auburn Watershed Overlay District, which existing standards are a critical component of the Commission's efforts to protect and preserve the water quality of Lake Auburn; and

WHEREAS, the City of Auburn is currently in the process of considering adopting revisions to the septic Ordinance as currently outlined in the Lake Auburn Watershed Zoning Ordinance that was adopted in July 1974; as a result of recommendations made from *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022; and

WHEREAS, the Commission has approved a Scope of Services for Comprehensive Environmental Incorporated (CEI) to evaluate the conclusions drawn from FB Environmental Report and Technical Memorandum as they pertain to development and water quality impacts on Lake Auburn; and

WHEREAS, the CEI report will be completed within a month of notice to proceed; and

WHEREAS, the evaluation of results of CEI conclusions may have an impact on the recommendations of the Commission to the City of Auburn regarding the City of Auburns decision to approve the revised Septic Ordinance

WHEREAS, the City of Auburn may be planning to approve the revised Septic Ordinance in late September/early October, and

WHEREAS, the CEI evaluation and vetting their conclusions may not be completed by late September/early October, and

NOW THEREFORE, the Lake Auburn Watershed Protection Commission hereby RESOLVES that the City of Auburn's proposed revisions to the existing Lake Auburn Watershed Zoning Ordinances should not be amended until such time as Comprehensive Environmental Incorporated (CEI) has completed a peer review of *A Regulatory, Environmental, and Economic analysis of Water Supply Protection in Auburn, Maine*, prepared by FB Environmental Associates dated October 2021, and the supplemental *Lake Auburn Model Technical Memorandum* dated August 1, 2022. The Commission also resolves that time be allowed for proper vetting of the

information supplied. The Commission further Resolves that this Resolution shall be forwarded to the Auburn City Council, the Auburn Water District, and the City of Auburn Planning Board.

Rick Lachapelle 9/15/22

Rick Lachapelle Date
LAWPC Commission Vice Chair

City of Auburn
City Council Information Sheet

Council Public Hearing or Meeting Date: October 3, 2022

Author: John Blais, Deputy Director of Planning and Permitting

Subject: T-4.2B Education Presentation Schedule

Information: The Education Presentation Schedule will include covering the zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

Schedule:
Virtual Education Meeting; October 19, 2022 @ 6:00PM
https://youtu.be/eCuNKO1hc2U

In-Person Education Meeting at the tentatively scheduled at City Council Chambers, 60 Court Street and overflow in Community Room. October 25, 2022 @ 6:00PM. Staff is working on potentially different meeting space at the Fairview School. Date and Time: TBD.

Public Notices:
Sun Journal and City Hall on October 5, 2022
Sun Journal on October 12, 2022

PR Outreach Facebook:
Post weekly snippets and reminders of T-4.2B Education Meetings Oct 5, 12, 19 and 25th.

Staff Recommended Action: Hold public education presentations prior to the second council vote on November 7, 2022 regarding T-4.2B Text and Map Amendment.

Previous Meetings and History: Recommended by Council, September 19, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Official Zoning Map dated 7/6/2022, proposed text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district, PB Staff report and Story Map.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022 **Order:** 125-09062022

Author: Kelsey Earle, Deputy Finance Director

Subject: Homeowner Relief Program 2022

Information: The City of Auburn, in response to the market adjustment, is seeking to offset a portion of the increase many residents saw in their 2022-2023 tax bill. The anticipated goal is to provide $300.00 dollar checks to homeowners 65 and older, who's taxes increased by $300.00 dollars or more, and currently qualify for the Homestead exemption. There would be an application created by city staff, made available by November, with a deadline to apply of February 1st. This would allow a 3-month window for qualifying homeowners to apply for the funds. The Council will allocate $700,000.00 from the American Rescue Plan Act (ARPA) funds to cover the cost of this initiative.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends funding program and amending the original Order as follows:

ORDERED, that the City of Auburn City Council provide one time relief funding in the amount of $300.00 dollars for Auburn homeowners aged 65 and older who's taxes increased by $300.00 dollars or more and currently qualify for the Homestead exemption, in direct recognition of the market adjustment made in the spring and summer of 2022. The Auburn City Council orders the allocation of $700,000.00 from the American Rescue Plan Act (ARPA) funds for relief checks and associated implementation costs.

Previous Meetings and History: September 6, 2022, Order 125-09062022 Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief. Vote was postponed. September 19, 2022, Workshop discussion.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order 125-09062022

ORDER 125-09062022

City Council Order

IN CITY COUNCIL

ORDERED, that the City of Auburn City Council provide one time relief funding for Auburn residents in direct recognition of the market adjustment made in the spring and summer of 2022. This stabilization effort has resulted in varying tax increases for the residents of Auburn. The Auburn City Council orders the allocation of $1,500,000.00 from the American Rescue Plan Act (ARPA) funds for one time relief checks and associated implementation costs.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022 **Ordinance:** 21-09192022

Author: Jeff Tardif, General Assistance Manager-Health & Social Services

Subject: Adoption of Appendices for General Assistance, Effective 10/01/2022 through 9/30/2023

Information: I am seeking approval of the new General Assistance maximums. They Are: Appendix A (The GA overall maximums), Appendix B (the food maximums), Appendix C (Lewiston/Auburn MSA rental maximums), and Recovery Residences.

These maximums are established as a matter of State law based on certain federal and HUD fair market values. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with title 22 M.R.S.A § 4305(4).

****By adopting the new appendices A-C, the program will be in compliance and receive the 70% reimbursement from the State****

City Budgetary Impacts: The overall maximums (Appendix A) are an average increase of $21.00 per person/household per month. The food maximums (Appendix B) are an average increase of $25.00 per individual per month. The housing maximums (Appendix C) are an average increase of $53.00 per household per month. Electricity (Appendix D) with and without hot water increased $9.00 per person, per month. *There are no changes in appendices E-H*

Staff Recommended Action: Approval of changes to the General Assistance Appendices A-C, and Recovery Residences as required by State statute and ordinance. First reading: 9/19/2022. Second reading: 10/03/2022.

Previous Meetings and History: This is a yearly approval needed by council when changes are made to the appendices. A public hearing and passage of first reading was on 9/19/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Health & Social Services FY 22/23
Appendix A, Overall Maximums
Appendix B, Food Maximums
Appendix C, Housing Maximums
Recovery Residences
Ordinance & Adoption form for 22/23

***Please review the attached appendices A-C and Recovery Residences ***

Budgetary Impacts:

For Appendix A: The overall maximum was increased slightly this year (see chart below). This is the maximum amount that General Assistance can assist for a 30-day period.

Current Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1 $754.00	2 $811.00	3 $1,042.00	4 $1,335.00	5 $1,652.00

New Overall Maximums:

Lewiston/Auburn MSA Auburn, Durham, Greene, Leeds, Lewiston. Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	1 $795.00	2 $859.00	3 $1,099.00	4 $1,427.00	5 $1,728.00

For Appendix B: The overall food maximums have increased (see chart below). These amounts are set by the USDA Thrifty Food Plan and take into effect on October 1st, 2021.

Number in household	Old SNAP amount	New SNAP amount
1	**$250.00**	**$281.00**
2	**$459.00**	**$516.00**
3	**$658.00**	**$740.00**
4	**$835.00**	**$939.00**
5	**$992.00**	**$1,116.00**
6	**$1,190.00**	**$1,339.00**
7	**$1,316.00**	**$1,480.00**
8	**$1,504.00**	**$1,691.00**

For Appendix C: The housing maximums had a slight increase this year (see chart below). The Department of Housing and Urban Development (HUD) sets these new guidelines based on the fair market value of property in our area.

Current housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
Bedroom Size	Weekly	Monthly	Weekly	Monthly
0	$140.00	$601.00	$163.00	$701.00
1	$143.00	$616.00	$174.00	$749.00
2	$185.00	$796.00	$226.00	$970.00
3	$241.00	$1,038.00	$291.00	$1,251.00
4	$299.00	$1,285.00	$360.00	$1,549.00

New housing maximums:

Lewiston/Auburn MSA	Unheated		Heated	
Bedroom Size	Weekly	Monthly	Weekly	Monthly
0	$153.00	$660.00	$181.00	$780.00
1	$159.00	$684.00	$196.00	$842.00
2	$203.00	$872.00	$251.00	$1,078.00
3	$267.00	$1,150.00	$326.00	$1,403.00
4	$322.00	$1,386.00	$395.00	$1,699.00

Recovery Residences: (New)

Lewiston/Auburn MSA	Heated	
As of 7/1/2022	Weekly	Monthly
	$131.08	561.75

Lewiston/Auburn MSA	Heated	
As of 10/1/2022	Weekly	Monthly
	$147.35	$631.50

Prior to July 1st, 2022, Auburn GA was paying $273.00 a month for recovery residence rent (based on the previous rule).

Appendix A
Effective: 10/01/22-09/30/23

2022-2023 GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household 1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	826	955	1,219	1,515	2,071
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,016	1,075	1,409	1,865	1,991
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	795	859	1,099	1,427	1,728
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	789	792	1,043	1,302	1,420
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,263	1,463	1,893	2,415	2,958
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	874	1,031	1,253	1,650	1,880

Prepared by MMA
8/2022

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,072	1,082	1,355	1,717	1,984
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,237	1,293	1,699	2,194	2,934

***Note: Add $75 for each additional person.**

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	692	754	881	1,185	1,353
Franklin County	728	774	909	1,229	1,566
Hancock County	890	925	1,110	1,397	1,529
Kennebec County	819	835	1,038	1,360	1,451
Knox County	844	848	1,038	1,378	1,471
Lincoln County	925	941	1,178	1,463	1,912
Oxford County	814	815	993	1,400	1,627
Piscataquis County	701	752	926	1,227	1,477
Somerset County	755	790	1,017	1,323	1,416
Waldo County	970	972	1,155	1,441	1,970
Washington County	756	758	982	1,228	1,343

*** Please Note: Add $75 for each additional person.**

Appendix B
Effective: 10/01/22 to 09/30/23

2022-2023 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2022, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	$ 65.35	$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00

Note: For each additional person add $211 per month.

2022-2023 GA Housing Maximums
(Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. *(See Instruction Memo for further guidance.)*

Non-Metropolitan FMR Areas

Aroostook County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	123	528	157	676
1	126	541	171	735
2	140	604	200	859
3	197	846	270	1,159
4	218	935	308	1,323

Franklin County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	131	564	165	712
1	131	564	176	755
2	147	632	206	887
3	207	890	280	1,203
4	267	1,148	357	1,536

Hancock County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	176	755	204	875
1	176	755	211	908
2	205	883	253	1,089
3	260	1,120	319	1,373
4	276	1,187	349	1,500

Kennebec County	**Unheated**		**Heated**	
Bedrooms	**Weekly**	**Monthly**	**Weekly**	**Monthly**
0	159	684	187	804
1	159	684	190	818
2	189	811	237	1,017
3	252	1,083	311	1,336
4	258	1,109	331	1,422

Non-Metropolitan FMR Areas

Knox County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	165	709	193	831
1	157	673	193	831
2	189	811	237	1,017
3	256	1,101	315	1,354
4	263	1,129	335	1,442

Lincoln County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	184	790	212	910
1	184	790	215	924
2	221	951	269	1,157
3	276	1,186	335	1,439
4	365	1,570	438	1,883

Oxford County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	158	679	186	799
1	158	679	186	799
2	178	766	226	972
3	261	1,123	320	1,376
4	299	1,285	372	1,598

Piscataquis County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	125	537	159	685
1	125	539	171	733
2	151	649	210	904
3	206	888	279	1,201
4	246	1,059	336	1,447

Somerset County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	620	172	740
1	144	620	180	773
2	184	790	232	996
3	243	1,046	302	1,299
4	250	1,074	322	1,387

Non-Metropolitan FMR Areas

Waldo County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	194	835	222	955
1	194	835	222	955
2	216	928	264	1,134
3	271	1,164	329	1,417
4	379	1,628	451	1,941

Washington County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	621	172	741
1	144	621	172	741
2	176	755	224	961
3	221	951	280	1,204
4	233	1,001	306	1,314

Metropolitan FMR Areas

Bangor HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	161	691	189	811
1	181	780	218	938
2	231	992	279	1,198
3	288	1,238	347	1,491
4	402	1.729	475	2,042

Cumberland Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	205	881	233	1,001
1	209	900	246	1,058
2	275	1,182	323	1,388
3	369	1,588	428	1,841
4	383	1,649	456	1,962

Lewiston/Auburn MSA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	153	660	181	780
1	159	684	196	842
2	203	872	251	1,078
3	267	1,150	326	1,403
4	322	1,386	395	1,699

Metropolitan FMR Areas

Penobscot Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	152	654	180	775
1	152	654	180	775
2	190	816	238	1,022
3	238	1,025	297	1,278
4	251	1,078	323	1,391

Portland HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	262	1,128	290	1,248
1	300	1,288	336	1,446
2	387	1,666	435	1,872
3	497	2,138	556	2,391
4	608	2,616	681	2,929

Sagadahoc Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	172	739	200	859
1	199	856	236	1,014
2	239	1,026	287	1,232
3	319	1,373	378	1,626
4	358	1,538	430	1,851

York Cty. HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	218	937	246	1,057
1	218	937	248	1,065
2	262	1,128	310	1,334
3	335	1,440	394	1,693
4	382	1,642	455	1,955

York/Kittery/S. Berwick HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	256	1,102	284	1,222
1	260	1,118	297	1,276
2	342	1,472	390	1,678
3	446	1,917	505	2,170
4	603	2,592	676	2,905

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is ***not automatically*** entitled to the "maximums" established—applicants must demonstrate need.

1) Electricity Maximums for Households *Without Electric Hot Water*: The maximum amounts allowed for utilities, for lights, cooking and other electric uses ***excluding*** electric hot water and heat:

Number in Household	Weekly	Monthly
1	$19.95	$ 85.50
2	$22.52	$ 96.50
3	$24.97	$107.00
4	$27.53	$118.00
5	$29.88	$128.50
6	$32.55	$139.50

NOTE: For each additional person add $10.50 per month.

2) Electricity Maximums for Households *With Electrically Heated Hot Water*: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ***excluding*** heat:

Number in Household	Weekly	Monthly
1	$29.63	$127.00
2	$34.07	$146.00
3	$39.67	$170.00
4	$46.32	$198.50
5	$55.65	$238.50
6	$58.68	$251.50

NOTE: For each additional person add $14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

Number in Household	Weekly Amount	Monthly Amount
1-2	$10.50	$45.00
3-4	$11.60	$50.00
5-6	$12.80	$55.00
7-8	$14.00	$60.00

NOTE: For each additional person add $1.25 per week or $5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	$12.80	$55.00
2	$17.40	$75.00
3	$23.30	$100.00
4	$27.90	$120.00

Appendix G
Effective: 10/01/22-09/30/23

2022-2023 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 46 cents (46¢) per mile.

Please refer to the Office of the State Controller for changes to this rate at 626-8420 or visit http://www.state.me.us/osc/

Prepared by MMA
8/2022

2022-2023 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2022 to September 30, 2023.**

APPENDIX A - OVERALL MAXIMUMS

County	Persons in Household					
	1	2	3	4	5	6

NOTE: For each additional person add $75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B - FOOD MAXIMUMS

Number in Household	Weekly Maximum	Monthly Maximum
1	$ 65.35	$ 281.00
2	120.00	516.00
3	172.09	740.00
4	218.37	939.00
5	259.53	1,116.00
6	311.40	1,339.00
7	344.19	1,480.00
8	393.26	1,691.00

NOTE: For each additional person add $211 per month.

APPENDIX C - HOUSING MAXIMUMS

	Unheated		Heated	
Number of Bedrooms	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

2022-2023 GA Housing Maximums
Recovery Residences
The following Recovery Residence maximums are in effect from 10/1/2022- 9/30/2023

Non-Metropolitan FMR Areas

Aroostook County	Recovery Residence Rates	
	Weekly	Monthly
	128.63	551.25

Franklin County	Recovery Residence Rates	
	Weekly	Monthly
	132.13	566.25

Hancock County	Recovery Residence Rates	
	Weekly	Monthly
	158.90	681.00

Kennebec County	Recovery Residence Rates	
	Weekly	Monthly
	143.15	613.50

Knox County	Recovery Residence Rates	
	Weekly	Monthly
	145.43	623.25

Lincoln County	Recovery Residence Rates	
	Weekly	Monthly
	161.70	693.00

Oxford County	Recovery Residence Rates	
	Weekly	Monthly
	139.83	599.25

Piscataquis County	Recovery Residence Rates	
	Weekly	Monthly
	128.28	549.75

Somerset County	Recovery Residence Rates	
	Weekly	Monthly
	135.28	579.75

Waldo County	Recovery Residence Rates	
	Weekly	Monthly
	167.13	716.25

Washington County	Recovery Residence Rates	
	Weekly	Monthly
	129.68	555.75

Metropolitan FMR Areas

Bangor HMFA	Recovery Residence Rates	
	Weekly	Monthly
	164.15	703.50

Cumberland Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	185.15	793.50

Lewiston/Auburn MSA	Recovery Residence Rates	
	Weekly	Monthly
	147.35	631.50

Penobscot Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	135.63	581.25

Portland HMFA	Recovery Residence Rates	
	Weekly	Monthly
	253.05	1084.50

Sagadahoc Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	177.45	760.50

York Cty. HMFA	Recovery Residence Rates	
	Weekly	Monthly
	186.38	798.75

York/Kittery/S. Berwick HMFA	Recovery Residence Rates	
	Weekly	Monthly
	223.30	957.00

The Adoption Process

The **municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers conduct a ***notice and hearing*** prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;

2) End public discussion, close the hearing; and

3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance.

City of Auburn, Maine
General Assistance Office
Jeff Tardif, Manager
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov |
207.333.6601 Extension 1411

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of **Auburn**, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2022, through September 30, 2023. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this_____ **day of** _____ **2022**, by the municipal officers:

Richard S. Whiting, Ward 1 _____
(Signature)

Ryan A. Hawes, Ward 2 _____
(Signature)

Stephen G. Milks, Ward 3 _____
(Signature)

Joseph R. Morin, Ward 4 _____
(Signature)

Leroy G. Walker, Sr., Ward 5 _____
(Signature)

Belinda A. Gerry, At-Large _____
(Signature)

Dana N. Staples, At-Large _____
(Signature)

ORDINANCE 21-09192022

City Council Ordinance

IN CITY COUNCIL

AMENDING CHAPTER 24, ARTICLE II, DIVISION 1, SEC. 24-23 OF THE GENERAL ASSISTANCE ORDINANCE ANNUAL ADJUSTMENT OF MAXIMUM BENEFITS.

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2022 through September 30, 2023, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

(a) Each year the Maine Municipal Association provides the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:

(1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.

(2) Appendix B, a listing of maximum levels of assistance for food.

(3) Appendix C, a listing of maximum levels for heated and unheated housing.

(b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the Office of the City Clerk.

Editor's note— The appendices referred to in this section are not codified but are available in the office of the city clerk.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 03, 2022 **Ordinance:** 22-10032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Food Service Establishment – Concession Stands

Information: During the September 6, 2022 Council meeting, Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be $200. This was discussed at the September 19, 2022 City Council workshop.

Three options below were presented to the City Council for consideration:

1. Determine on a case by case basis under Sec. 14-31 Fees; Waiver which gives the City Council the option of waiving business licensing fee on a case by case basis and would not require an ordinance change.
2. Delegate the authority to waive the fee for minors operating a temporary lemonade (or concession) stand on private property to the City Clerk. This would be an ordinance change which would require a public hearing and two readings.
3. Add a provision under Sec. 14-49, Exemptions from license requirements or fees, which would exempt minors operating a temporary lemonade (or concession stand) on private property. This would be an ordinance change which would require a public hearing and two readings.

After much discussion, Council seemed to be in favor of option 3.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the proposed ordinance amendment.

Previous Meetings and History: Councilor Morin discussed bringing this forward during the 9/6/2022 Council meeting. This item was discussed at the September 19, 2022 Council workshop.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed ordinance amendment

ORDINANCE 22-10032022

City Council Ordinance

IN CITY COUNCIL

Amending the Code of Ordinances, Chapter 14, Sec. 14-49 Exemptions from license requirement or fees.

Be it ordained, that the City Council hereby amends the Code of Ordinances, Chapter 14, Sec. 14-49 to include exemption (h) Minors operating a temporary concession stand on private property.

Sec. 14-49. Exemptions from license requirement or fees.

(a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.

(b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.

(c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.

(d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.

(e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.

(f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.

(g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.

(h) Minors operating a temporary concession stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011)

Richard Whiting, Ward One
Joseph Morin, Ward Four
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Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022 **Ordinance:** 23-10032022

Author: Phil Crowell, City Manager

Subject: Forestry Board and Tree Streets

Information: On March 21, 2022, Dave Griswold and Councilor Staples provided an update on the development of a street tree sustainability ordinance in order to provide information, planning and resources necessary to ensure the long-term viability and sustainability of the street tree component of the community forest.

Reasons for this ordinance:

1. The street tree component of the community forest has declined over time due to limited resources applied to maintain it.
2. Emerald Ash Borer (EAB) is a looming threat that is almost certain to impact Auburn's 430 ash street trees in the next decade.
3. This proposal is the result of discussions of the Community Forest Subcommittee of the former Conservation Commission, the former Conservation Commission, a City Council Workshop, the Sustainability and Natural Resources Management Board, from September 2021 to present.
4. This proposed ordinance provides for data collection, planning and budgeting necessary to address a significant sustainability issue.

City Budgetary Impacts: $25,000 was allocated during the FY23 appropriation to implement this ordinance.

Staff Recommended Action: Consider passage.

Previous Meetings and History: March 21, 2022, and June 27, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed ordinance and the Public Works policies for the implementation of the new ordinance.

ORDINANCE 23-10032022

City Council Ordinance

IN CITY COUNCIL

Adopting Division 3 - Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs in the Auburn Code of Ordinances.

Be it ordained, that the City Council hereby adopts Division 3 – Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs as attached.

Richard Whiting, Ward One
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Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance: 23-10032022

Street Tree Sustainability Ordinance

Chapter 56- Vegetation

Article II. -Trees and Shrubs

Division 3. - Street Tree Sustainability

Sec. 56-xx - Purpose.

The city recognizes that trees promote the health, safety, and welfare of the city and its residents by promoting social well-being and a positive public image of the city. In order to sustain the community forest, the city requires data collection, planning and resources to mitigate the potential loss of this valuable public resource. Accordingly, the city adopts this sustainability ordinance to promote the information, planning, and resources necessary to ensure the long-term viability and sustainability of the community forest.

Sec. 56-xx – Authority.

This division is enacted pursuant to the Home Rule Authority granted to the city in accordance with the provisions of 30-A M.R.S.A. § 3001.

Sec. 56-xx – Definitions.

Street Tree. Any tree which is located on land owned by the city and deemed appropriate for inclusion in the Street Tree Inventory by the municipal arborist; or, a public shade tree as defined at 30-A M.R.S.A. § 3281, which is located within or upon the limits of any municipal road, public right of way, or highway, regardless of whether the roadway is classified as a highway under state law.

Street Tree Inventory. A database maintained by the municipal arborist or the public works director or his or her designee, identifying the location of each Street Tree by reference to the city's GIS system and listing its species, diameter, condition, and hazard risk.

Removed Street Tree. A Street Tree which has been cut down or otherwise eliminated due to: insect, disease, or weather-related conditions; the existence of unnecessary risks to life or property as determined by the municipal arborist; the construction or maintenance of public roads and rights of way; the request of the owner of property on which the Street Tree is located; or other accident or casualty event.

Sec. 56-xx Maintenance of Street Tree Inventory

The municipal arborist shall keep the Street Tree Inventory up to date by:

(1) keeping annual records concerning the removal, planting and maintenance of Street Trees;
(2) periodically reviewing the condition and any associated hazard of all Street Trees; and
(3) updating the Street Tree Inventory as needed to reflect information collected in parts 1 and 2.

Sec. 56- xx Replacement of removed Street Trees

(1) Each fiscal year, the municipal arborist shall propose to the city manager, a budget sufficient for the city to purchase, plant and maintain the number of trees equal to the number of Removed Street Trees from the previous fiscal year. Replacement trees may be placed at the sites of Removed Street Trees, or at other locations which the municipal arborist deems appropriate in light of the Purpose of this Division stated above, in consultation with the Community Forest Working Group or any successor committee.

(2) The City Council shall consider replacement of Removed Street Trees as part of the adoption of each year's municipal budget. To the extent the final budget adopted by the city council is insufficient to fund all of the replacement trees requested by the municipal arborist, the number of unfunded replacement trees shall be carried forward and added to the list of trees to be replaced in future years.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 3, 2022 **Resolve:** 08-10032022

Author: Sue Clements-Dallaire, City Clerk

Subject: A Resolution requesting increased State involvement for better outcomes for those unhoused

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Information: With the current statewide housing crisis we would like to request that the Governor of Maine, with support from Legislative Leadership create a formal working group to improve state and local responses for those that are unhoused.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the Resolve

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Resolve 08-10032022

RESOLVE 08-10032022

City Council Resolve

IN CITY COUNCIL

WHEREAS, the number of community members who are unhoused is continuing to increase rapidly; and

WHEREAS, the current increase in housing costs, especially rental costs are increasing at rates that are exceeding inflationary rates; and

WHEREAS, the housing costs increases are happening throughout the entire State of Maine; and

WHEREAS, individuals who are without housing are statistically going to be adversely impacted more by other contributing factors than the population as a whole; and

WHEREAS, these known contributing factors include domestic violence, behavioral health, substance abuse, human trafficking and others; and

WHEREAS, the State of Maine, with federal COVID funds during the pandemic, provided temporary relief by utilizing hotels as a short term solution; and

WHEREAS, those hotels are no longer available, leaving those in need without other viable alternatives; and

WHEREAS, municipalities are required by the Maine Law to provide housing assistance through the General Assistance Program; and

WHEREAS, municipalities, including the City of Auburn, do not have the expertise or resources to provide the additional services which would be beneficial to many of the community members who are unhoused; and

WHEREAS, the housing crisis cannot be solved without uniform policies, State coordination, and cooperation between municipalities; and

WHEREAS, finding viable long term solutions for the growing number of folks without housing will require participation and resources from outside of the municipality; and

WHEREAS, the federal government, through various policies, including but not limited to those that impact Asylum Seekers, are contributing to the challenges of serving the needs of the unhoused;

NOW, THEREFORE, BE IT RESOLVED that we, the City Council and Mayor of the City of Auburn, join with other municipal leaders in Maine to request that the Governor of the State of Maine, supported by Legislative Leadership, create a formal Working Group of both elected and professional staff to make improvements to the state and local responses for those who are unhoused.

Richard Whiting, Ward One
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Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
October 17, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** CIP/ARPA Financial Update – Jill Eastman, Brian Wood, and Rita Beaudry
  - a. ARPA Projects Approved
  - b. CIP Projects Status
  - c. Community Service/Outreach Trailer Program
  - d. Auburn Neighborhood Curb Appeal Grant Program
- **B.** Dangerous Buildings and Property Maintenance – Eric Cousens
- **C.** Executive session, Contract negotiations, pursuant to 1 M.R.S.A. §405(6)(E)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Staples

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda

1. Order 136-10172022*
Confirming Mayor Levesque's appointment of Tara Paradie as alternate member of the Ethics Panel with a term expiration of 11/1/2025.

2. Order 137-10172022*
Re-appointing Misty Edgecomb to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

3. Order 138-10172022*
Re-appointing Haley Warden to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

4. Order 139-10172022*
Re-appointing Ronald Spofford to the Auburn Housing Authority Board of Trustees with a term expiration of 10/01/2027.

5. Order 140-10172022*
Appointing Wesley Mech to the Complete Streets Committee with a term expiration of 01/01/2025.

6. Order 141-10172022*
Confirming the Mayor's appointments to the Ad Hoc Committee to develop permit ready housing.

II. Minutes – October 3, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Assessor's Report (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

1. Ordinance 22-10032022
Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees. of the City Code. Second reading.

2. Ordinance 23-10032022
Adopting the Street Tree Sustainability Ordinance. Second reading.

VI. New Business

1. Order 142-10172022
Allocating $200,000.00 ARPA funding for the Sustainable Auburn Match Program.

2. Order 143-10172022
Authorizing the marketing of city owned property located at 1865 Hotel Road, parcel ID 187-005.

3. Order 144-10172022
Authorizing the marketing of city owned property located at 145 Eastman Lane, parcel ID 079-004.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report
d. Jill Eastman, Finance Director – September Finance Report

IX. Executive Sessions – None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022

Author: Brian Wood, Assistant City Manager

Subject: Updating the Council on the year to date spend on all American Rescue Plan Act (ARPA) and City approved Capital Investment Purchases (CIP)

Information:

The City of Auburn received approximately $13,500,000.00 in ARPA funding in 2021. The current City Council and previous City Council have funded a number of projects and initiatives with this one time funding to advance a number of efforts, many related to the city strategic plan. This is an opportunity to provide an update on each project. Additionally, with the increase in goods, material and labor the City will be providing an update on CIP projects that were funded in FY22 and FY23.

City Budgetary Impacts:
N/A

Staff Recommended Action:

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Order:** 143-10172022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Auburn Neighborhood Curb Appeal Grant Program

Information: The Auburn Neighborhood Curb Appeal Grant Program will allocate Two hundred Thousand dollars ($200,000) of APRA Funding to promote revitalization of properties in the Downtown District by providing financial assistance to building owners for improvement and maintenance to existing multi-unit residential buildings. Financial assistance is made available to provide a visual impact on the exterior of existing multi-unit buildings, thus improving the quality of the neighborhood, improve the sense of place and marketability of the overall area. The intent of this program is to incentivize building owners to take reinvest in their buildings and communities.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: City Council Meeting October 3, 2022, during Communications and Presentations, Mayor Leveque proposed action.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Program guidelines

City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Auburn Neighborhood Curb Appeal Grant

Purpose

The purpose of the Neighborhood Curb Appeal Grant Program is to promote revitalization of multi-unit properties in the Downtown District by providing financial assistance to building owners for improvement and maintenance to existing residential buildings. Financial assistance is made available to provide a visual impact on the exterior of existing multi-unit buildings, thus improving the quality of the neighborhood, improve the sense of place and marketability of the overall area. The intent of this program is to incentivize building owners to take reinvest in their buildings and communities.

Eligibility

Owners of buildings of 4 units or greater and located in the Downtown District and who's majority of tenants are at or below 120% of area median household income are eligible for financial assistance from the Auburn Community Development Office**.** The funds can be used to upgrade and rehabilitate the exterior façade of their buildings. Only projects, which have not begun prior to being awarded, are eligible. This is a reimbursement grant, therefore, only after a project is paid for, will the grant money be given. All work must take place after an approved scope of work. Proof of payment must be shown, to receive a reimbursement. Financial assistance will only be available to those projects meeting eligibility requirements and preference will be given to projects that can be completed in a timely manner and make the most visual impact to the downtown area. Business and Community Development staff will use existing city data to actively reach out to property owners in this district.

Eligible items may include:

- **Exterior Improvements** to the façade, including but not limited to, the following: changing exterior wall covering, landscaping, lighting, screening of unsightly utilities and to a limited extent, paving of parking areas.
- **Exterior Maintenance** measures that improve the overall looks of the façade and ensure the sustainability of exterior surfaces, such as cleaning, painting, tuckpointing, repairing, power washing, sand blasting, acid washing, window glazing, and caulking.

In order to be eligible to receive grant funds, all property taxes, real and personal, owed on the property that is the subject of the application must be current at the time the application is made. Any property on which there is past due balance for such taxes will be removed from consideration.

DRAFT

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Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Scoring Criteria

- The level of private investment utilized for the renovation. Applicants providing more than a 50% match will receive higher priority
- The potential impact the project will have on the surrounding area (visual prominence/significance)
- Whether the proposed improvements restore the historical character of the building
- The building's level of blight
- Whether the building is abandoned
- Improvements must be adjacent to a public space; however, priority is given to projects renovating multiple facades
- Whether the applicant has utilized the city incentive programs in the recent past

Funding

The City of Auburn may allocate $200,000 from the City ARPA funds for this program to complete projects on a minimum of 4 separate properties within the Downtown District. All projects must be reviewed and approved by the Community Development Office and all work we conducted with proper permitting and approvals from the city Code Enforcement office.

City of Auburn
Neighborhood Curb Appeal

Sources and Uses	Unit Price	Quantity	Budget
Total Sources=			$200,000
Auburn Funds (ARPA)			$200,000
Total Uses=			$200,000
Program Administration (1 year)			$8,000
Rebates for Approved Façade Improvements	$47,000.00	*4*	$188,000
Program Delivery (20 Hours)	$1,000.00	4	$4,000

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City of Auburn
City Council Information Sheet

Council Workshop: October 17, 2022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Dangerous Buildings, 80K Action and Property Maintenance Code Overview

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Information: This workshop is to discuss our current housing code which is essentially a very simple, limited property maintenance code (PMC), the option of a more comprehensive national/international property maintenance code and the Dangerous Buildings Statute.

Housing Code/PMC: Over time the Council has considered the adoption of a comprehensive PMC or to make changes to our Housing Code to better address conditions that are detrimental to residents and the community. Some changes have been made while others have been seen as too far reaching and have not passed after extensive discussion and preparation of PMC code text. This was considered in 1999, 2012, 2016 and 2020 when the Council opted to make some changes to the Housing Code. A poorly maintained building impacts the decisions of abutting property owners and reduces investment in surrounding properties. Poor housing quality makes it harder to attract residents to the area which further reduces market competition and demand for a particular neighborhood. Likewise, a poorly managed building that allows for trash and debris problems, nuisance noise and/or pervasive criminal activity affects the behavior of other residents and can become more widespread in a neighborhood, with impacts that are similar to a poorly maintained building. Generally, a poorly maintained building is also a poorly managed building. Our housing code is a very limited PMC. A more extensive example is available at: https://codes.iccsafe.org/content/IPMC2018/preface. Communities with a PMC usually adopt a model code like the IPMC with some edits or deletions locally. Failure to comply with staff issued notices and citations can only be further enforced with an 80K Lawsuit/Action or Dangerous Buildings action.

80K Action: The term "80K" is derived from the rule contained in the Maine Rules of Civil Procedure which prescribes the legal procedure which must be followed in prosecuting land use violations. Rule 80K provides a "Summary Procedure," which means it moves faster than other court proceedings. The violator can answer the Complaint orally in court rather than in writing, and the court can decide the main issues of the case with a minimum amount of formality. That reduces the time and expense involved, without sacrificing the due process rights of the person accused of the violation. Even this option costs at least $3,000 and takes more time to get a court date than it used to.

Dangerous Buildings: 17 M.R.S. §§2851-2859 authorize the municipal officers(City Council) to determine that a building or structure is "dangerous" and to order appropriate corrective action either by the owner or by the town if the owner does nothing to correct the issues. Other than in the case of a building which is so dangerous that immediate court action is required, there is no express authority

given to the CEO to act under this statute. Buildings or structures which can be dealt with under this statute must fit within one of the following categories: • structurally unsafe; • unstable; • unsanitary; • constitutes a fire hazard; • is unsuitable or improper for the use or occupancy to which it is put; • constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property. An example of this process can be viewed at the April 5, 2021 CC Mtg.

Staff Recommended Action: Discussion and feedback. Does the Council want to be more aggressive in legal actions for existing Housing Code violations? Three citations and then a lawsuit? Does the Council want to consider a more comprehensive model PMC to cover more concerns (maintaining vegetation for intown yards, broken windows/screens/, paint coverings, others). Questions on Dangerous Buildings Statute?

Previous Meetings and History: None recently

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Auburn Housing Code, Dangerous Buildings Statute, images of example violations.

ARTICLE IV. HOUSING CODE

DIVISION 1. GENERALLY

Sec. 12-145. Purpose.

The purpose of this article is to establish minimum standards for all dwellings and property incident thereto in the city to insure safety, health, and public welfare through the proper construction, maintenance, and use thereof.

(Code 1967, § 20-A(1.1); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-146. Definitions and rules of construction.

(a) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Basement means that portion of a building below the first floor joists having at least one-half of its clear ceiling height above the main level of the adjacent ground.

Chief of police means the legally designated head of the police department of the city or his authorized representative.

Dwelling or *dwelling unit* means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Extermination means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods approved by the health officer.

Fire chief means the legally designated head of the fire department of the city or his authorized representative.

Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes excluding bathrooms, water closet compartments, laundries, pantries, game rooms, foyers or communicating corridors and permanent built-in closets and storage spaces.

Health officer means the legally designated health authority of the city or his authorized representative.

Infestation means the presence or evidence of the presence within or around a dwelling, of any insects, rodents, or other pests.

Manufactured housing means a structural unit or units designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed on an independent chassis, to a building site, the term includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim. Manufactured housing shall include newer mobile homes and modular homes as defined in city zoning regulations.

Mobile homes, older, means any factory-built home that fails to meet the definition of manufactured housing and more specifically, any mobile home constructed prior to June 15, 1976. These units shall be restrict to location in approved mobile home parks.

Mobile home park means a parcel of land under single ownership in rural residence, suburban residence and cluster development districts that has been planned and improved for the placement of not less than three mobile homes for non-transient use.

Multiple dwelling means any dwelling containing more than three dwelling units.

Occupant means any person over one year of age, living, sleeping, cooking, or eating in, or having actual possession of, a dwelling unit or rooming unit.

Operator means any person, who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are rented or let or of an area where spaces are rented or let for mobile homes.

Owner means any person who, alone or jointly or severally with others, has legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof, or has charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or an executor, executrix, administrator, administratrix, trustee, or guardian of the estate of owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as if he were the owner.

Paint stabilization means repairing any physical defect in the substrate of a painted surface that is causing paint deterioration, removing loose paint and other material from the surface to be treated, and applying a new protective coating or paint to the affected areas.

Plumbing means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwasher, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents , and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

Rooming house means any dwelling, or that part of any dwelling, containing one or more rooming units, in which space is let by the owner or operator to four or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.

Rooming unit means any room or group of rooms forming a single habitable unit used or intended to be used for living, and sleeping, but not for cooking or eating purposes.

Rubbish means combustible and non-combustible waste materials except garbage, including, without limitation, residue from the burning of wood, coal, coke, or other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and others.

Structural elements means all of the following components of a structure, including but not limited to: foundation, framing, sheathing, siding, roofing material, windows, doors, trim, eaves, porches, stairs, railings, guards; and interior surfaces such as sheetrock, plaster, ceiling tiles, countertops, and floors.

Summer camps means seasonal dwelling units intended for and actually used for single-family dwellings only during the months of May, June, July, August, September and October or weekends or other periods of vacations but not to exceed 30 days.

Supplied means paid for, furnished, installed or provided by or under the control of the owner or operator.

Temporary housing means any tent, trailer, or other structure used for human shelter that is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than 30 consecutive days.

(b) Whenever the words "dwelling," "dwelling unit," "lodging house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

(Code 1967, § 20-A(art. V); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016; Ord. No. 10-11022020, 11-16-2020)

Sec. 12-147. Compliance required.

(a) No dwelling or dwelling unit shall be deemed to conform with the requirements of this article until it meets all of the minimum standards of this article as specified herein.

(b) It is unlawful to construct, alter, maintain, occupy, let for occupancy, or use a building or structure, or part thereof, in violation of the provisions of this article.

(Code 1967, §§ 20-A(1.2), 20A(1.3); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-148. Validity of other laws.

Nothing in this article shall be construed to prevent the enforcement of other laws that prescribe more restrictive limitations.

(Code 1967, § 20-A(1.4); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-149. Exceptions permitted.

In seasonal dwellings, mobile homes, buildings erected prior to the original adoption of this article, or in agriculture and resource protection district as defined by the zoning provisions of the city, or in areas where public water or sewerage systems are not available, the code compliance officer shall upon application grant an exception for the use of buildings for dwelling purposes that do not meet the minimum standards set forth in this article when he determines that:

(1) It is not feasible or practicable to comply with such minimum standards;

(2) The safety, health, or general welfare of the occupants and the public will not be adversely affected; and

(3) The effect of the granting of the exception will not adversely affect adequate light, air, overcrowding, of persons or property, the provision for public utilities, the character of the neighborhood, or traffic conditions as applied to the welfare of the occupants or the general public.

(Code 1967, § 20-A(1.6); Ord Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-150. Procedure for granting exceptions.

(a) The code compliance officer shall issue such exception in writing setting forth the date of granting, the reasons for granting the same, the date it shall expire, and the location of the premises.

(b) No such exceptions shall be granted for a period of more than five years. Any exception may be renewed one or more times, upon application to the board of appeals. Each renewal shall not exceed additional periods of five years for such renewal. Each renewal shall contain the requirements of the original exception and in addition thereto the date of issuance of the original exception and the statement that it is a renewal.

(Code 1967, § 20-A(1.7); Ord Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Secs. 12-151—12-169. Reserved.

DIVISION 2. INSPECTIONS

Sec. 12-170. Authority of code compliance officer.

The code compliance officer is hereby authorized to make inspections to determine the condition of dwellings, dwelling units, rooming houses, rooming units and premises located within this city in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public.

(Code 1967, § 20-A(2.1); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-171. Right of entry for inspection.

For the purpose of making such inspections, the code compliance officer is hereby authorized to enter, examine, and survey any or all dwelling units, rooming houses, rooming units, and premises at any mutually agreeable time but in any case within 20 days of notice to the owners or occupant of the intention to make such an inspection.

(Code 1967, § 20-A(2.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-172. Owner and occupant to give free access.

(a) *Access of code compliance officer.* The owner and occupant of every dwelling, dwelling unit, lodging house and rooming unit or the person in charge thereof, shall give the code compliance officer free access to such dwellings, dwelling unit, lodging house or rooming unit and premises at any mutually agreeable time for the purpose of such inspection, examination, or survey, but in any case within 20 days of notice to the owner or occupant of the intention to make such an inspection, examination, or survey.

(b) *Access of owner.* Every occupant of a dwelling, dwelling unit, lodging house and rooming unit shall give the owner, and his agent or employee, access at all reasonable times to any part of the dwelling, dwelling unit, lodging house, rooming unit or premises for the purpose of compliance with the provisinos of this article or any lawful order issued pursuant to this article.

(Code 1967, §§ 20-A(2.3), 20-A(2.4); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Secs. 12-173—12-194. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 12-195. Procedure generally.

(a) If the code compliance officer determines that there are reasonable grounds to believe that there has been a violation of any provisions of this chapter, he shall initiate enforcement proceedings in accordance with the citation system established in this Code. Alternatively, he may initiate a land use complaint pursuant to state law, in which case the penalties therein provided shall apply.

(b) Any notice issued pursuant to this article shall:

(1) Be in writing;

(2) Include a statement of the reasons why it is being issued;

(3) Set a reasonable time for the performance of any act it requires;

(4) Be served upon the owner or his agent, or the occupant, as the case may require; provided, however, that:

a. Complaints under this article be deemed properly served upon such owner or agent or upon such occupant if a copy thereof is served upon him personally or by leaving a copy thereof at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein; or

b. If a copy thereof is sent by registered or certified mail to his last known address or the address as shown on the records in the tax assessor's office of the city of auburn; and

c. If service is made personally or by leaving at his dwelling house or usual place of abode a statement signed by the person so serving stating the date of service shall be filed in the office of planning and development.

(5) May contain an outline of remedial action that, if taken, will effect compliance with the provision of this article.

(c) After service of such notice, the owner or occupant to whom it is directed shall correct the condition constituting the violation within the time specified and promptly give notice to the code compliance officer that such corrective action has been taken.

(Code 1967, § 20-A(3.1); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-196. Method of petitioning for hearing.

(a) Any person affected by any notice issued in connection with the enforcement of any provision of this article, may request and shall be granted a hearing on the matter before the board of appeals; provided that such person shall file in the office of the board of appeals a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten days after the day the notice was served.

(b) Upon receipt of such petition, the board of appeals shall set a time and place for such hearing and shall give the petitioner notice thereof in person or by mail.

(c) At such hearing, the board of appeals shall take evidence to determine whether such notice should be sustained, modified, or withdrawn.

(d) The hearing shall be commenced not later than 30 days after the day on which the petition was filed; provided that upon application of the petitioner the board of appeals may postpone the date of the hearing for a reasonable time beyond such 30 day period, if in its judgment the petitioner has submitted a good and sufficient reason for such postponement.

(Code 1967, § 20-A(3.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-197. Power of board of appeals to alter notice.

After such hearing, the board of appeals shall sustain, modify, or withdraw the notice, depending upon its findings as to the compliance with the provisions of this chapter. If the board of appeals sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to this article shall automatically become an order if a written petition for a hearing is not filed in the office of the board of appeals within ten days after such notice is served. There shall be an appeal from the board of appeals to the superior court in the manner provided by state law.

(Code 1967, § 20-A(3.3); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-198. Recording of public hearing.

The proceedings at such hearing, including the findings and decision of the board of appeals, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the board of appeals. Such record shall also include a copy of every notice or order issued in connection with the matter.

(Code 1967, § 20-A(3.4); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-199. Notice of intent to sell, transfer or rent property subject to order.

(a) *When required.* Any person who proposes to sell, transfer or otherwise dispose of lease or sublet any dwelling unit, lodging house, rooming unit, or other premises against which there is any existing lawful order of the code compliance officer, the board of appeals or any court of competent jurisdiction shall furnish the proposed grantee or transferee a true copy of such order and shall notify the office of planning and development in writing of the intent to so sell, transfer, or otherwise dispose of lease or sublet in writing giving the name and address of the person to whom such transfer is proposed within three days of the proposed transfer.

(b) *Penalty.* Any person who violates the terms of this section shall be in violation of this chapter and shall be subject to a penalty or fine of not less than $50 and not more than $100 to be enforced by complaint in a court of competent jurisdiction.

(Code 1967, § 20-A(3.5); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-200. Placarding of buildings unfit for human habitation.

(a) *Authority of code compliance officer.* If the person so affected fails to appeal to the board of appeals or if after an appeal, the board of appeals sustains the decision of the code compliance officer, the dwelling, dwelling unit, lodging house, or rooming unit so affected may be declared unfit for human habitation and placarded by the code compliance officer.

(b) *Procedure.* To placard, the code compliance officer shall issue to the occupants and the owner or operator a written notice to vacate the premises within such time as the code compliance officer may deem reasonable, but not less than seven days, and a placard prohibiting continued occupancy or re-occupancy may be conspicuously posted on the premises, and a copy of such notice may be filed with the police department.

(c) *Use of placarded buildings prohibited.* No dwelling or dwelling units, lodging house, or rooming unit which has been placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the code compliance officer. The code compliance officer shall remove such placard whenever the defect or defects upon which the placarding action is based have been eliminated.

(d) *Defacement and removal of placard prohibited.* No person shall deface or remove the placard from any dwelling or dwelling unit, lodging house or rooming unit, which has been declared unfit for human habitation and placarded as such.

(Code 1967, § 20-A(3.6); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-201. Order to vacate dangerous premises.

In instances where the health officer, fire chief, and chief of police, or their duly qualified deputies, determine in writing that extreme danger or menace to the occupants or the public health exists, the code compliance officer, health officer, fire chief, and chief of police, or their duly qualified deputies may order immediate correction to be made or, if the circumstances warrant, may order that the occupants vacate the premises as provided in this article.

(Code 1967, § 20-A(3.7); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Secs. 12-202—12-224. Reserved.

DIVISION 4. MINIMUM STANDARDS

Sec. 12-225. Compliance with city codes and state law required.

All structures and structural elements of buildings and the construction, use and occupancy thereof shall be in accordance with the requirements of this Code, including the building and technical codes adopted by the city, and with state law and regulations.

(Code 1967, §§ 20-A(6.1), 20-A(12.1); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-226. Maintenance.

(a) All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

(b) All painted exterior surface areas of pre 1978 properties must be maintained in a manner to not cause a public nuisance or affect the health and safety of the occupants of the property where the condition exists or of surrounding properties. Paint stabilization must occur if the potential for such a condition exists.

(Code 1967, § 20-A(6.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 10-11022020, 11-16-2020)

Sec. 12-227. Plumbing.

Every dwelling unit shall contain a kitchen sink and a bathtub or shower. In addition, every dwelling unit shall contain, within a room which affords privacy, a flush water closet and a lavatory basin. All plumbing facilities required by this Code shall be in accordance with the requirements of the plumbing code adopted by the city as of date of installation and maintained in good sanitary working condition; water-related plumbing facilities required by this Code shall be connected to adequate supply of water.

(Code 1967, § 20-A(art. 7); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-228. Heating and ventilation.

(a) *Maintenance.* All heating and ventilating facilities shall be maintained in safe operating condition for use without danger of asphyxiation or of overheating combustible material.

(b) *Requirements when central heating plant not available.* When heat is not furnished by a central heating plant, each dwelling unit or rooming unit shall be provided with one or more masonry flues and smoke or vent pipe connections, or equal arrangement, in accordance with the provisions of the basic building code to permit the use of heating equipment capable of providing heat as required by this section.

(c) *Heating facilities required in rented or leased premises.* Every habitable room, let for occupancy, shall be served by heating facilities capable of providing a minimum temperature of at least 68 degrees Fahrenheit, at a distance of three feet from the exterior walls, five feet above floor level, as required by prevailing weather conditions. In addition, the heating facilities must be operated to protect the building equipment and systems from freezing.

(d) *Window specifications.* Every habitable room shall have a window or windows with a total sash area equal to at least eight percent of its floor area opening on a street, alley, yard, or court open to the sky and constructed and maintained so that at least one-half of the sash area can be opened, except that an approved method of mechanical ventilation may be substituted for such window or windows

(Code 1967, § 20-A(art. 8); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-229. Electrical and lighting.

All lighting and other electrical facilities shall be in accordance with the requirements of the electrical code adopted by the city and shall be maintained in good, safe and suitable electrical order.

(Code 1967, §§ 20-A(9.1), 20-A(9.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-230. Passageways, stairways and exits.

(a) *Exits.* Every dwelling unit and every rooming unit shall have safe, continuous and unobstructed means of egress leading from the interior of the building to safe and open spaces at ground level in accordance with applicable statutes and ordinances.

(b) *Lighting.* Every passageway and stairway shall have at least one ceiling-type or wall-type electric light fixture adequate to provide safe passage.

(c) *Obstructions.* Every hallway, stairway, corridor, exit, fire escape door or other means of egress hall be kept clear of obstructions at all times.

(Code 1967, §§ 20-A(9.3), 20-A(12.3), 20-A(12.4); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-231. Garbage and rubbish.

(a) *Method of disposal.* Every responsible occupant of a dwelling or dwelling unit shall dispose of all his garbage and rubbish in a clean and sanitary manner. Every owner of rental property shall provide his tenants with suitable waste containers as required by city ordinance.

(b) *Accumulations prohibited.* Every dwelling shall be clean and free from garbage or rubbish. When a dwelling or dwelling unit is not reasonably clean or free from garbage or rubbish, the code compliance officer may cause the responsible person to put the dwelling or dwelling unit in a clean and sanitary condition.

(Code 1967, § 20-A(10.1); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013; Ord. No. 02-02222016, 3-7-2016)

Sec. 12-232. Insect and rodent control.

(a) *Owner responsible for extermination in multiple dwellings.* If infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

(b) *Occupant responsible for extermination.* Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises.

(Code 1967, § 20-A(10.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-233. Space and occupancy.

(a) *Floor space requirements.* The total area of every dwelling unit shall contain at least 250 square feet of floor area, with an additional 125 square feet for each occupant over two.

(b) *Ceiling height.* At least one half of the floor area of every habitable room shall have a room ceiling height of at least 7 feet; and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

(c) *Use of basement.* No basement space shall be used as a habitable room or dwelling unit unless it conforms to the minimum requirements of this article.

(Code 1967, § 20-A(art. 11); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

Sec. 12-234. Dwelling occupancies prohibited adjacent to hazardous establishments.

No dwelling unit or rooming unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids or producing toxic gases or vapors in any quantity that may endanger the lives or safety of the occupants.

(Code 1967, § 20-A(12.2); Ord. of 3-26-1990; Ord. No. 02-04012013, att. B, 4-16-2013)

§2851. Dangerous buildings

The municipal officers in the case of a municipality or the county commissioners in the case of the unorganized or deorganized areas in their county may after notice pursuant to section 2857 and hearing adjudge a building to be a nuisance or dangerous, in accordance with subsection 2-A, and may make and record an order, in accordance with subsection 3, prescribing what disposal must be made of that building. The order may allow for delay of disposal if the owner or party in interest has demonstrated the ability and willingness to satisfactorily rehabilitate the building. If an appeal pursuant to section 2852 is not filed or, if an appeal pursuant to section 2852 is filed and the Superior Court does not order, stay or overturn the order to dispose of the building, the municipal officers or the county commissioners shall cause the nuisance to be abated or removed in compliance with the order. After recording an attested copy of the notice required by section 2857 in the registry of deeds located within the county where the building is situated, the municipality or the county may seek a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. [PL 2019, c. 557, §1 (AMD).]

For the purposes of this subchapter, "building" means a building or structure or any portion of a building or structure or any wharf, pier, pilings or any portion of a wharf, pier or pilings thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, and "parties in interest" has the same meaning as in Title 14, section 6321. [PL 2017, c. 136, §1 (NEW).]

1. Notice.
[PL 2017, c. 136, §1 (RP).]

2. Notice; how published.
[PL 2017, c. 136, §1 (RP).]

2-A. Standard. To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.
[PL 2017, c. 136, §1 (NEW).]

3. Recording of the order. An order made by the municipal officers or county commissioners under this section must be recorded by the municipal or county clerk, who shall cause an attested copy to be served upon the owner and all parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. If the name or address cannot be ascertained, the clerk shall publish a copy of the order in the same manner as provided for notice in section 2857.
[PL 2017, c. 136, §1 (AMD).]

4. Proceedings in Superior Court. In addition to proceedings before the municipal officers or the county commissioners, the municipality or the county may seek an order of demolition by filing a complaint in the Superior Court situated in the county where the building is located. The complaint must identify the location of the property and set forth the reasons why the municipality or the county seeks its removal. Service of the complaint must be made upon the owner and parties in interest in accordance with the Maine Rules of Civil Procedure. After hearing before the court sitting without a jury, the court shall issue an appropriate order and, if it requires removal of the building, it shall award costs as authorized by this subchapter to the municipality or the county. The municipality or the county may petition the court for a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. Appeal from a decision of the Superior Court is to the law court in accordance with the Maine Rules of Civil Procedure.
[PL 2019, c. 557, §2 (AMD).]

SECTION HISTORY

PL 1965, c. 284 (RPR). PL 1967, c. 401, §1 (AMD). PL 1973, c. 143, §1 (AMD). PL 1979, c. 27, §§1-3 (AMD). PL 1997, c. 6, §1 (AMD). PL 2017, c. 136, §1 (AMD). PL 2019, c. 557, §§1, 2 (AMD).

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City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Order:** 136-10172022

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming Mayor Levesque's appointment of alternate member of the Ethics Panel

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Information: Auburn's Ordinance states that two regular voting members and one alternate member are appointed by the Mayor and confirmed by the City Council and one regular voting member and one alternate is appointed by the School Committee Chair and confirmed by the School Committee.

The Mayor appointed alternate seat is vacant. Mayor Levesque would like to appoint Tara Paradie to fill this seat, which requires confirmation by a vote of the City Council. This is a three year term, term expiration date 11/1/2025.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order 136-10172022

ORDER 136-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the Mayor's appointment of Tara Paradie as alternate member of the Ethics Panel for a three year term ending November 1, 2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Orders:** 137-10172022 through 140-10172022

Author: Sue Clements-Dallaire, City Clerk

Subject: Board and Committee Appointments

The Appointment Committee met on October 11, 2022 to review applications and make their nominations for various boards and committees of the City as follows:

Auburn Housing Authority – Ronald Spofford (re-appointment), term expiration of 10/01/2027.

Complete Streets Committee – Wesley Mech, term expiration of 01/01/2025.

Parks & Recreation Advisory Board – Misty Edgecomb (re-appointment), term expiration of 10/01/2024.

Parks & Recreation Advisory Board – Haley Warden (re-appointment), term expiration of 10/01/2024.

City Budgetary Impacts: None

Staff Recommended Action: Motion to appoint members as recommended by the Appointment Committee.

Previous Meetings and History: The Appointment Committee met on October 11, 2022 to make their recommendations.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Vacancies, Application Spreadsheet, Applications, Orders

October 11, 2022
Applicant List

Board or Committee	Ward	Last Name	First Name	Address
Auburn Housing Authority	4	*Spofford	Ronald	156 Main Street, Apt. 417
Complete Streets Committee	2	Mech	Wesley	42 Fern Street
Parks & Recreation Advisory Board	2	*Edgecomb	Misty	26 Oakland Street
	5	*Warden	Haley	100 Vickery Road

* Indicates this applicant is seeking re-appointment

** Indicates this person is an associate/alternate member seeking full member status

VACANCIES

Age Friendly Committee - 2 vacancies, term expirations June 1, 2023

Auburn Housing Authority - 2 vacancies, term expirations October 1, 2027

Audit Committee - 1 vacancy, term expiration TBD

City Council Student Representative - 2 appointments

Complete Streets Committee - 2 vacancies, term expiration of January 1, 2023 and January 1, 2025

Parks & Recreation Advisory Board - 5 vacancies, one with a term expiration October 1, 2023, four with term expirations of October 1, 2024

Registration Appeals Board Chair - 1 vacancy with a 4 year term

Regulatory Advisory Board - 4 vacancies, term expirations are June 1, 2024, and June 1, 2025

auburnmaine.gov

CITY OF AUBURN
BOARD & COMMITTEE
Re-APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: September 27, '22

Last name: SPOFFORD First name: RONALD Middle initial: V

Residence address: 156 MAIN ST. Apt 417 Ward: 4

City: Auburn State: ME Zip code: 04210

Home phone: 207 740-4084 Work phone: same Cell phone: same

Email address: NA

Current occupation: Retired

Previous occupation (if retired or no longer working): Teacher/then, church sexton

Educational and/or experience (or attach your resume): graduate, USM (then GSTC) BS. Ed.

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
X Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Complete Streets Committee
___ Ethics Panel
___ L/A Transit Committee
___ Planning Board
___ St. Louis Bells Committee
___ Zoning Board of Appeals
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
___ Sewer District
___ Water District

Is this application for a ___ new appointment or X reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). _____

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). _____

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? YES Auburn Housing Authority

Dates served (if known)? October 1, 2019 – present

Have you previously served on a City or Community Board or Committee? If so, which one(s)? see other side

Dates served (if known)? _____

How did you learn of this vacancy? _____

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Ronald Spafford Date: September 27, '22

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 9/28/2022
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

I'm a resident commissioner, one of two, and not an at-large Commissioner. There are seven in all. Both Martin Szydlowski, Executive Director, AHA and Arthur Wing, president of Board of Commissioners AHA have encouraged me to submit this re-appointment application. Both want me to continue with a re-newed term as [resident]* commissioner.

By submitting this application, I make clear my intent to continue serving.

* not to be put in pool of "at-large" applicants

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Friday, September 16, 2022 2:59 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Wesley

Middle Initial:

Last Name: Mech

Residence Address: 42 Fern Street

Ward: Ward 2

City: Auburn

Home Phone: 570-606-9977

Cell Phone: 570-606-9977

E-mail Address: wesleymmech@gmail.com

Current Occupation: Seasonal Garden Merchandiser

Previous Occupation (if retired or no longer working):

Education and/or experience: M.S. in Natural Resources

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Complete Streets Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): To help make Lewiston/Auburn a more inviting and safe community for non-motorized transit.

What do you hope to accomplish?: To learn how municipal committees influence community development and to be part of the solution in improving mixed usages of the city's streets.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Auburn City website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Wesley Mech

Date of Electronic Signature: 09/16/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Monday, September 12, 2022 9:59 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Misty

Middle Initial:

Last Name: Edgecomb

Residence Address: 26 Oakland st

Ward: Ward 2

City: Auburn

Home Phone: 2072403910

Cell Phone: 2072403910

E-mail Address: mislyn02@gmail.com

Current Occupation: Business owner

Previous Occupation (if retired or no longer working):

Education and/or experience: Current Board chair of Parks and Recreation board

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Parks & Recreation Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have projects going right now in the Parks and Recreation board that I am really excited to see get off of the ground. I want to see these projects through to make sure they do not get overlooked.

What do you hope to accomplish?: I want the design of the community food forest to be completed, and the beach at Lake Grove Park to get an aeration system.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Yes, Parks and Rec advisory board

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Parks subcommittee

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Misty Edgecomb

Date of Electronic Signature: 9-12-2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, September 14, 2022 6:01 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Haley

Middle Initial:

Last Name: Warden

Residence Address: 100 Vickery Road

Ward: Ward 5

City: Auburn

Home Phone: 2072417901

Cell Phone: 8184810460

E-mail Address: haleyjwarden@gmail.com

Current Occupation: Director of Engagement

Previous Occupation (if retired or no longer working):

Education and/or experience: Auburn Public Library/Auburn Recreation Department

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Parks & Recreation Advisory Board

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I would like to continue serving on the Parks and Recreation board.

What do you hope to accomplish?: Bringing more recreational opportunities for our community.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Parks & Recreation Advisory Board

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Haley Warden

Date of Electronic Signature: 9/14/2022

ORDER 137-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Misty Edgecomb to the Parks & Recreation Advisory Board with a 10-1-2024 term expiration.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 138-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Haley Warden to the Parks & Recreation Advisory Board with a 10-1-2024 term expiration.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 139-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Ronald Spofford to the Auburn Housing Authority Board of Trustees with a term expiration of 10/01/2027.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 140-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Wesley Mech to the Complete Streets Committee with a term expiration of 01/01/2025.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Order:** 141-10172022

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming the Mayoral Appointments to the Ad Hoc Committee to develop permit ready housing

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The Mayor would like to appoint the following applicants to serve on his Ad Hoc Committee to develop permit ready housing in Auburn:

Rebecca Gagnon
Robert Hayes
Laura Shaw
Carl Skilling
Ryan Smith

City Budgetary Impacts: None

Staff Recommended Action: Motion to confirm the Mayor's recommendations to serve on the Committee.

Previous Meetings and History: September 6, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Applications, Orders

auburnmaine.gov

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 10/11/22

Last name: Shaw First name: Laura Middle initial: E.

Residence address: 15 Linden St. Ward: 2

City: Auburn State: Maine Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 207-212-5324

Email address: lauraelizab68@gmail.com

Current occupation: Director of Special Ed / Auburn School Dept.

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): MSEd Educational Leadership
29 years for ASD

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

___ 9-1-1 Committee
___ Auburn Housing Authority
___ Board of Assessment Review
___ CDBG Loan Committee
___ Conservation Commission
___ Finance Committee
___ Parks & Recreation Advisory Board
___ Planning Board
___ Water District
___ Airport Board
___ Audit & Procurement Committee
___ Cable TV Advisory Board
___ Community Forest Board
___ Ethics Panel
___ L/A Transit Committee
___ Poland-Auburn Economic Development Committee
___ Sewer District
___ Zoning Board of Appeals
✓ Mayor's ad hoc committee on permit ready plans

Is this application for a ✓ new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I am interested in having input into encouraging residential neighborhoods that are desirable to current and potential Auburn residents.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). I'm hoping that, as part of this ad hoc committee, we can help propose interesting and asthetically-pleasing residential options for all demographics.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? n/a

Dates served (if known)? n/a

Have you previously served on a City or Community Board or Committee? If so, which one(s)?

n/a

Dates served (if known)? n/a

How did you learn of this vacancy? Jason Levesque

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Laura Shaw Date: October 11, 2022

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: _____
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, October 6, 2022 1:39 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Rebecca

Middle Initial: L

Last Name: Gagnon

Residence Address: 48 Harvest Hill Rd

Ward: Ward 4

City: Auburn

Home Phone: 2078377025

Cell Phone: 2078377025

E-mail Address: Rfield@une.edu

Current Occupation: Executive Director

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Mayor's Ad Hoc Committee to Develop Permit-Ready Housing Plans

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am a long standing resident of auburn and have been to multiple city council meetings and planning board meetings about the subject.

What do you hope to accomplish?: Impact change within the city of auburn.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?:

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Rebecca Gagnon

Date of Electronic Signature: 10/6/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, September 22, 2022 2:46 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Robert

Middle Initial:

Last Name: Hayes

Residence Address: 172 Allen Ave.

Ward: Ward 2

City: Auburn

Home Phone: 207-782-1386

Cell Phone: 2072323903

E-mail Address: jlhayes1868@yahoo.com

Current Occupation: Retired

Previous Occupation (if retired or no longer working): Small business owner/manager

Education and/or experience: ELHS, Union College (New York) BS'69, Un. of ME (Portland) BS'75, E.C.Jordan Co. (Portland) '69-'70,'73-'75 tland)

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Citizens Advisory Committee

OTHER (Ad-Hoc Committees not on the list above):: Mayor's Housing Design

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): To participate in the selection process of housing designs that complement and enhance neighborhood profiles

What do you hope to accomplish?: To strengthen neighborhood characteristics and livability

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Yes, Planning Board and Council

Dates served (if known): P.B.: '77-'89, Council: '03-'15,'17-'19

How did you learn of this vacancy?: Council Meeting

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: ROBERT P HAYES

Date of Electronic Signature: 9/23/2022

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Thursday, October 6, 2022 8:17 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Carl

Middle Initial:

Last Name: Skilling

Residence Address: 1425 riverside dr

Ward: Ward 5

City: Auburn

Home Phone: 207-240-2645

Cell Phone: 207-240-2645

E-mail Address: Crskilling@gmail.com

Current Occupation: Sakes

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors in Business Administration

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Mayor's Ad Hoc Committee to Develop Permit-Ready Housing Plans

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): My background includes several different positions in the construction industry. I have work for my family owned excavation company, a pipeline supply company and currently a buildings product manufacturer. I have a passion for the City of Auburn and would like to contribute the resources I have.

What do you hope to accomplish?: I hope to accomplish input to the committee that lead to helping Auburn grow and succeed.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: No

Dates served (if known):

How did you learn of this vacancy?: Mayors Facebook post

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Carl R. Skilling

Date of Electronic Signature: 10/6/22

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, October 5, 2022 4:44 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Ryan

Middle Initial: E

Last Name: Smith

Residence Address: 14 Weaver St.

Ward: Ward 2

City: Auburn

Home Phone: 2602392229

Cell Phone: 2602392229

E-mail Address: rychsmith@gmail.com

Current Occupation: Code Enforcement Officer

Previous Occupation (if retired or no longer working):

Education and/or experience: BA in Business; 4 years of general contracting/sales/design/project management experience, completing over 80 new construction projects; current code enforcement officer; hands-on frame to finish carpentry experience; vocational school - construction

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Mayor's Ad Hoc Committee to Develop Permit-Ready Housing Plans

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I've come to the realization that if I want Auburn to continue to be a great city, I need to step up and be a part of that change where I can deploy past experience and expertise to help. I believe those who have the necessary skills and knowledge need to step up when they can, and by joining this committee, I believe I would be doing just that.

What do you hope to accomplish?: I hope to help make these floorplans viable for usage by many who want to build in Auburn. I built my own home in Auburn on a 50' x 82' lot, starting with the building permit in November of 2021, and

had to really think through the design to make it work with maximum efficiency. I can bring those same thoughts and lessons to this committee.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Yes; Citizens for Sensible Growth (petition committee)

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: N/A

Dates served (if known): April 2022 to current

How did you learn of this vacancy?: City Council meeting (in-person)

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Ryan Christopher Edward Smith

Date of Electronic Signature: 10/05/2022

ORDER 141-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the following Mayoral appointments to the Ad Hoc Committee to Develop Permit Ready Housing:

Rebecca Gagnon
Robert Hayes
Laura Shaw
Carl Skilling
Ryan Smith

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING OCTOBER 3, 2022, VOL. 36 PAGE 300

Mayor Levesque called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda

1. Order 135-10032022*
Confirming Chief Moen's appointments of Trevor Gagnon, Noor Shidad, Christopher Ivers, and Timothy Robinson as Constables with firearm for the Auburn Police Department.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Passage 7-0.

II. Minutes - September 19, 2022, Regular Council Meeting

Motion was made by Councilor Gerry and seconded by Councilor Walker to approve the minutes of the September 19, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication - Lake Auburn Watershed Protection Commission Resolution
- T-4.2B Education Presentation Schedule
- Council Communications (about and to the community)

Manager Crowell reported that he spoke with community members about how to enhance communications with the public. We are now using a different format for our newsletter. The public can sign up for various notifications under the "alert me" feature on our website. He reported that there were some email issues where emails were not working properly, but that is being worked on and should be resolved soon. The Police Department is sending out weekly crime statistics for the public. He reminded everyone that we are closed on Monday, October 10th in observance for Indigenous Peoples Day. He also reported that we have received over 150 applications for the Christmas Village event. About 18 will be selected out of the 150 applicants.

Councilor Walker reported that the Age Friendly Committee will hold a bean supper at the Senior Community Center on Saturday, October 15th from 4:00 pm to 5:30 pm. There is no charge, however donations are welcome and will be used for future dinners. Anyone that would like to attend are encouraged to call 333-6601 ext. 2108 so they will have an idea how many plan on attending. He also reported that the United New Auburn

Association will be holding their Halloween event in Anniversary Park on Sunday, October 30th from 1-3 pm with plenty of candy to hand out.

IV. Open Session

Ben Lounsbury asked why the communication item on the Lake Auburn Watershed Protection wasn't discussed. He also stated that he is concerned that the Planning and Permitting staff will be overloaded if all of the additional development goes through. He also spoke about a horse farm in his neighborhood that he stated was not in compliance with the terms of the permit and it seems that nothing is being done about it.

Pam Rousseau, 745 West Auburn Road, said that she would like to know what the city has spent of taxpayer money on attorney costs.

V. Unfinished Business

1. Order 125-09062022
Allocating $1,500,000.00 ARPA (American Rescue Plan Act) funding for home relief.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Walker to amend the $1,500,000.00 amount to $700,000 with the terms and conditions outlined in the staff memorandum.

Passage 7-0.

Passage as amended 5-2 (Councilors Gerry and Hawes opposed). A roll call vote was taken.

2. Ordinance 21-09192022
Amending the GA Maximum Appendices. Second reading.

Motion was made by Councilor Gerry and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote taken.

VI. New Business

1. Ordinance 22-10032022 Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees of the City Code. Public hearing and first reading.

Motion was made by Councilor Walker and seconded by Councilor Gerry for passage.

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

Ordinance 23-10032022
Adopting the Street Tree Sustainability Ordinance. Public hearing and first reading.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public hearing – Dave Griswold spoke in favor of this proposed ordinance and thanked Councilors for their support.

Passage 7-0. A roll call vote was taken.

2. **Resolve 08-10032022**
Requesting increased State involvement for better outcomes for those unhoused.

Motion was made by Councilor Gerry and seconded by Councilor Morin for passage.

Public comment – Mike Gilligan, 107 Newbury Street said it is wonderful that we are reaching out to the state for assistance but we have to act and come up with a comprehensive plan.

Passage 7-0.

VII. Open Session – No one from the public spoke.

VIII. Reports (from sub-committees to Council)
Mayor's Levesque stated that this past weekend was an emotional weekend where we celebrated the life and memorialized the passing of Steven Roop, owner of Roopers adding that it was the largest funeral we've seen in Lewiston Auburn for generations. He reported that there is a School Committee meeting on Wednesday where they will be setting goals for the Superintendent, and he will discuss the dual enrollment resolve that the Council voted on.

Councilor Walker reported that the Age Friendly Group has been working with Bell's Potato Farm and recently came up with a deal to give away potatoes. They were able to purchase 15 tons of potatoes to give out to senior citizens that are in need.

IX. Executive Sessions

Economic Development (continuation from workshop executive session discussion), pursuant to 1 M.R.S.A. §405 (6)(C).

Motion was made by Councilor Milks and seconded by Councilor Gerry. Passage 7-0. Time 7:40 pm.

Council was declared out of executive session at 8:30 pm.

X. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Morin to adjourn. Unanimously approved and the meeting adjourned at 8:30 pm.

A TRUE COPY

ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Ordinance:** 22-10032022

Author: Sue Clements-Dallaire, City Clerk

Subject: Food Service Establishment – Concession Stands

Information: During the September 6, 2022 Council meeting, Councilor Morin reported that he was contacted by a constituent whose six year old son wanted to run a lemonade stand to try to raise money to purchase a guitar. They came to Auburn Hall to obtain a permit and was told that the permit would be $200. This was discussed at the September 19, 2022 City Council workshop.

Three options below were presented to the City Council for consideration:

1. Determine on a case by case basis under Sec. 14-31 Fees; Waiver which gives the City Council the option of waiving business licensing fee on a case by case basis and would not require an ordinance change.
2. Delegate the authority to waive the fee for minors operating a temporary lemonade (or concession) stand on private property to the City Clerk. This would be an ordinance change which would require a public hearing and two readings.
3. Add a provision under Sec. 14-49, Exemptions from license requirements or fees, which would exempt minors operating a temporary lemonade (or concession stand) on private property. This would be an ordinance change which would require a public hearing and two readings.

After much discussion, Council seemed to be in favor of option 3.

City Budgetary Impacts: N/A

Staff Recommended Action: Consider passage of the proposed ordinance amendment.

Previous Meetings and History: Councilor Morin discussed bringing this forward during the 9/6/2022 Council meeting. This item was discussed at the September 19, 2022 Council workshop. A public hearing and passage of the first reading was on 10/03/2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Proposed ordinance amendment

ORDINANCE 22-10032022

City Council Ordinance

IN CITY COUNCIL

Amending the Code of Ordinances, Chapter 14, Sec. 14-49 Exemptions from license requirement or fees.

Be it ordained, that the City Council hereby amends the Code of Ordinances, Chapter 14, Sec. 14-49 to include exemption (h) Minors operating a temporary concession stand on private property.

Sec. 14-49. Exemptions from license requirement or fees.

(a) Persons acting pursuant to an order or process of a court of competent jurisdiction and persons acting in accordance with their powers and duties as public officers, such as sheriffs and marshals, shall not be required to secure a local license.

(b) Orphanages and public and private hospitals, as defined in the laws of the State, shall not be required to secure a local business license to operate a children's home or day care facility.

(c) Persons selling, exclusively, farm, dairy, orchard or fish products of their own production shall not be required to obtain a local license.

(d) No charge shall be made for the issuance of a solicitor's license, blasting permit or chimney cleaner permit; however, persons traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street selling magazines or other merchandise by sample, list or catalogue for future delivery shall be required to obtain a local itinerant vendor/peddler's license.

(e) Persons licensed in accordance with state law to maintain an automobile graveyard or junkyard shall not be required to obtain a local license to also operate as a junk collector.

(f) Persons who use their own homes to provide foster care to children shall not be required to obtain a local license.

(g) Public or private school cafeterias and nursing homes shall not be required to obtain a local food service establishment license.

(h) Minors operating a temporary concession stand on private property.

(Ord. No. 38-02072011-05, att. § 24-48, 2-7-2011)

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Ordinance:** 23-10032022

Author: Phil Crowell, City Manager

Subject: Forestry Board and Tree Streets

Information: On March 21, 2022, Dave Griswold and Councilor Staples provided an update on the development of a street tree sustainability ordinance in order to provide information, planning and resources necessary to ensure the long-term viability and sustainability of the street tree component of the community forest.

Reasons for this ordinance:

1. The street tree component of the community forest has declined over time due to limited resources applied to maintain it.
2. Emerald Ash Borer (EAB) is a looming threat that is almost certain to impact Auburn's 430 ash street trees in the next decade.
3. This proposal is the result of discussions of the Community Forest Subcommittee of the former Conservation Commission, the former Conservation Commission, a City Council Workshop, the Sustainability and Natural Resources Management Board, from September 2021 to present.
4. This proposed ordinance provides for data collection, planning and budgeting necessary to address a significant sustainability issue.

City Budgetary Impacts: $25,000 was allocated during the FY23 appropriation to implement this ordinance.

Staff Recommended Action: Consider passage.

Previous Meetings and History: March 21, 2022, and June 27, 2022. A public hearing and passage of first reading was on October 3, 2022.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed ordinance and the Public Works policies for the implementation of the new ordinance.

ORDINANCE 23-10032022

City Council Ordinance

IN CITY COUNCIL

Adopting Division 3 - Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs in the Auburn Code of Ordinances.

Be it ordained, that the City Council hereby adopts Division 3 – Street Tree Sustainability under Chapter 56 – Vegetation, Article II – Trees and Shrubs as attached.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Ordinance: 23-10032022

Street Tree Sustainability Ordinance

Chapter 56- Vegetation

Article II. -Trees and Shrubs

Division 3. - Street Tree Sustainability

Sec. 56-xx - Purpose.

The city recognizes that trees promote the health, safety, and welfare of the city and its residents by promoting social well-being and a positive public image of the city. In order to sustain the community forest, the city requires data collection, planning and resources to mitigate the potential loss of this valuable public resource. Accordingly, the city adopts this sustainability ordinance to promote the information, planning, and resources necessary to ensure the long-term viability and sustainability of the community forest.

Sec. 56-xx – Authority.

This division is enacted pursuant to the Home Rule Authority granted to the city in accordance with the provisions of 30-A M.R.S.A. § 3001.

Sec. 56-xx – Definitions.

Street Tree. Any tree which is located on land owned by the city and deemed appropriate for inclusion in the Street Tree Inventory by the municipal arborist; or, a public shade tree as defined at 30-A M.R.S.A. § 3281, which is located within or upon the limits of any municipal road, public right of way, or highway, regardless of whether the roadway is classified as a highway under state law.

Street Tree Inventory. A database maintained by the municipal arborist or the public works director or his or her designee, identifying the location of each Street Tree by reference to the city's GIS system and listing its species, diameter, condition, and hazard risk.

Removed Street Tree. A Street Tree which has been cut down or otherwise eliminated due to: insect, disease, or weather-related conditions; the existence of unnecessary risks to life or property as determined by the municipal arborist; the construction or maintenance of public roads and rights of way; the request of the owner of property on which the Street Tree is located; or other accident or casualty event.

Sec. 56-xx Maintenance of Street Tree Inventory

The municipal arborist shall keep the Street Tree Inventory up to date by:

(1) keeping annual records concerning the removal, planting and maintenance of Street Trees;
(2) periodically reviewing the condition and any associated hazard of all Street Trees; and
(3) updating the Street Tree Inventory as needed to reflect information collected in parts 1 and 2.

Sec. 56- xx Replacement of removed Street Trees

(1) Each fiscal year, the municipal arborist shall propose to the city manager, a budget sufficient for the city to purchase, plant and maintain the number of trees equal to the number of Removed Street Trees from the previous fiscal year. Replacement trees may be placed at the sites of Removed Street Trees, or at other locations which the municipal arborist deems appropriate in light of the Purpose of this Division stated above, in consultation with the Community Forest Working Group or any successor committee.

(2) The City Council shall consider replacement of Removed Street Trees as part of the adoption of each year's municipal budget. To the extent the final budget adopted by the city council is insufficient to fund all of the replacement trees requested by the municipal arborist, the number of unfunded replacement trees shall be carried forward and added to the list of trees to be replaced in future years.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Order:** 142-10172022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Sustainable Auburn Program

Information: The Current Sustainable Auburn City Match of Efficiency Maine Residential Grants for qualifying purchases as of September 30, 2022, had $94,183.28 remaining. This Order will add $200,000 to the pool which should carry the program through the rest of the fiscal year.

City Budgetary Impacts: None

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: July 19, 2021, Order 75-07192021 was the initial enactment of the program, March 7, 2022, Order 39-03072022 was the reallocation authorizing expanded qualifications.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

We have processed 215 applications, totaling $160,119.99 (average rebate $745). We are averaging about 18 applications a month.

We have had 12 Auburn residents apply for a second rebate.

list of the rebated products:

116	Hybrid Hot Water Heaters
47	Tier II Heat pumps
20	Tier I Heat pumps
18	Washing Machines
6	Insulation projects
3	Air Purifiers
1	Circulator Pump
1	Biomass Boiler

ORDER 142-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council allocates an additional Two Hundred Thousand Dollars ($200,000) of ARPA Funds to be added to the Two Hundred Fifty Thousand Dollars ($250,000) allocated under order 75-07192021 to be used in accordance with the established Sustainable Auburn Match Program guidelines and as they may be amended.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: October 17, 2022 **Orders:** 143-10172022 and 144-10172022

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 2 city-owned properties that have the potential to create economic impact if sold. The Economic Development Department will market the properties to be sold via the city approved bid process.

Properties are:
1865 Hotel Road, parcel ID 187-005
145 Eastman Lane, parcel ID 079-004

City Budgetary Impacts: None

Staff Recommended Action: Approve the order as presented

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: City Owned Properties

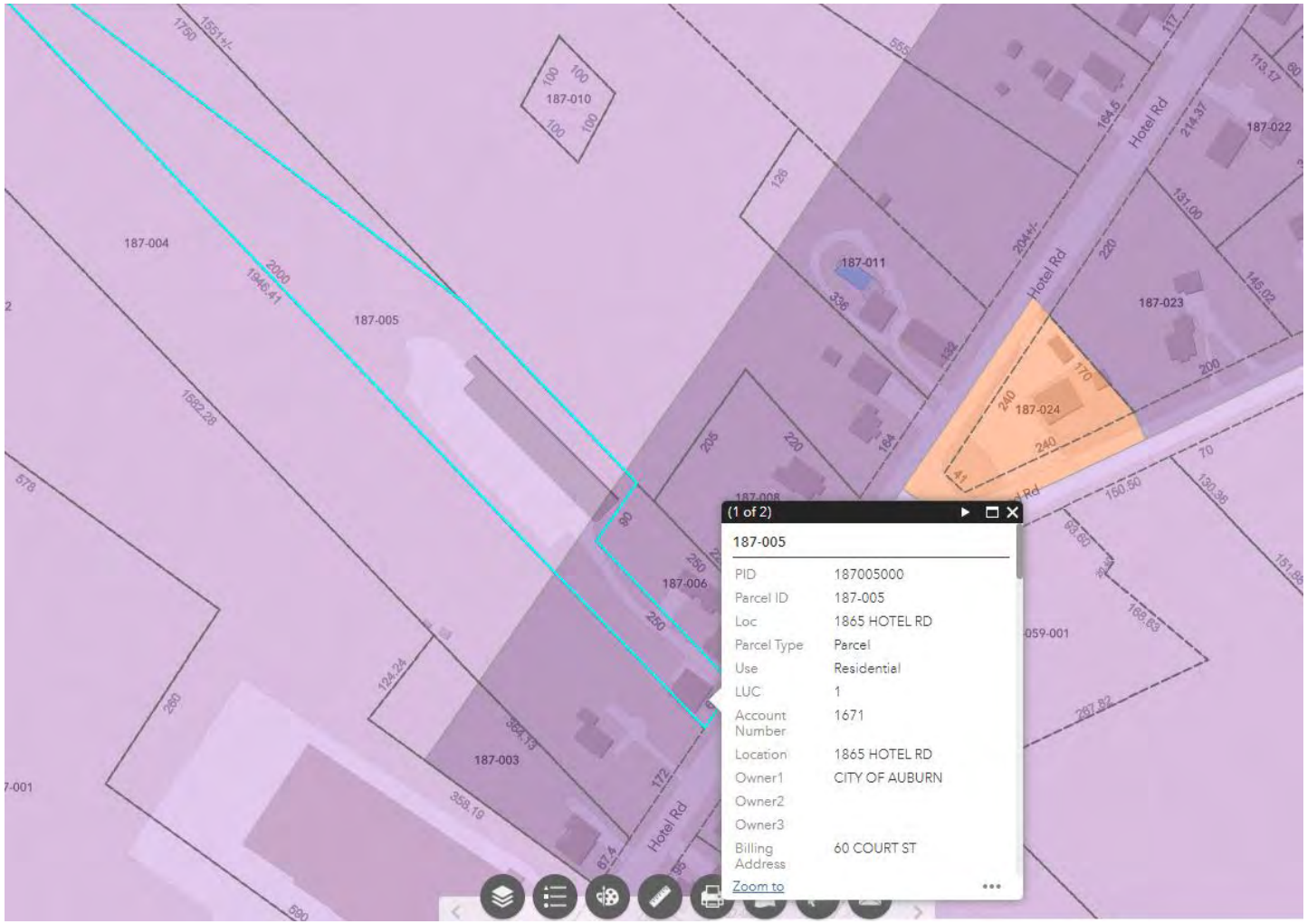
City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting October 17, 2022

Jay Brenchick, Director of Economic Development

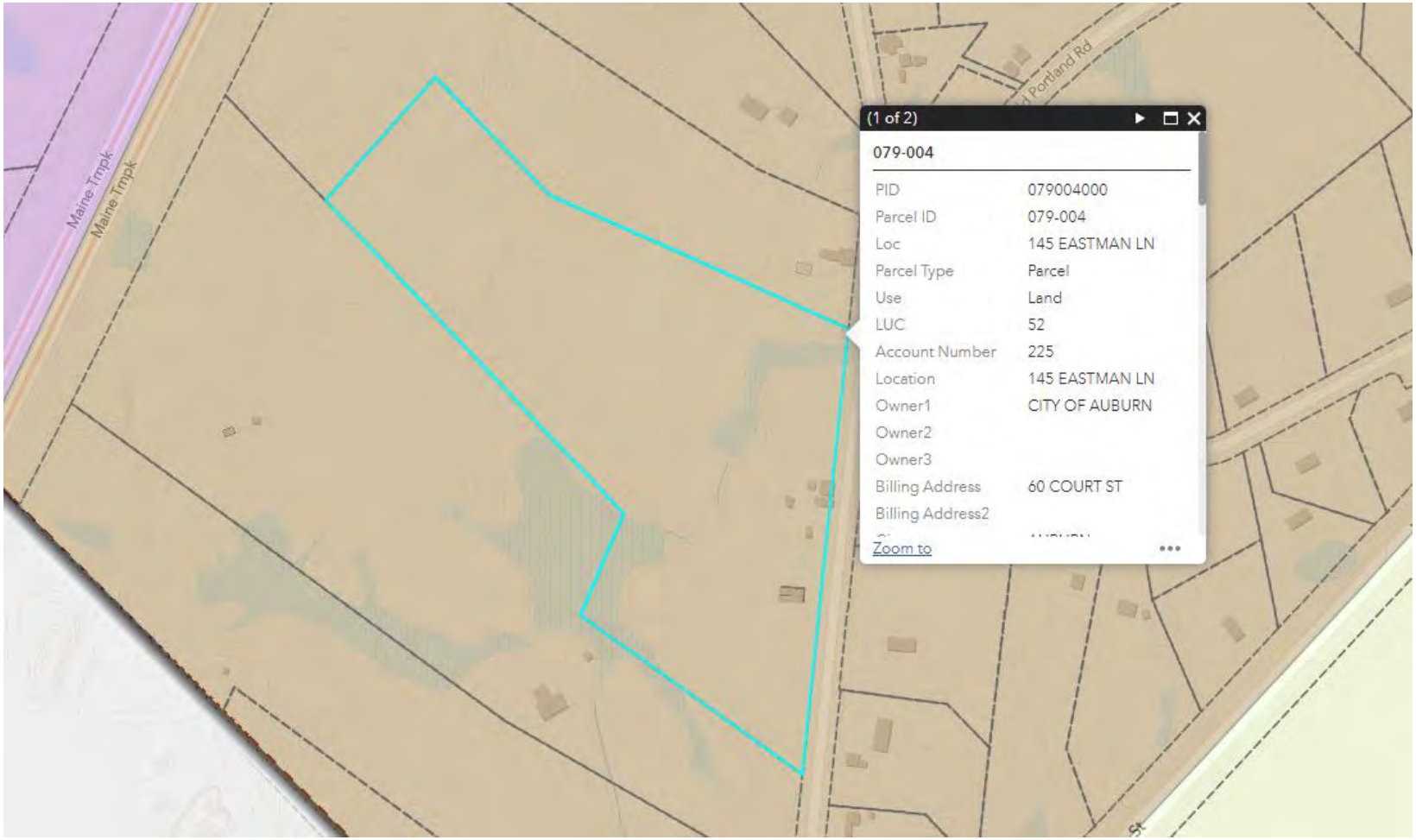
Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city's approved bid process. Applicants will be required to share a short narrative describing what they plan to build as well as the project's anticipated timeline and completion date.

Address	Description
1865 Hotel Road	Parcel ID: 187-005
145 Eastman Lane	Parcel ID: 079-004

1865 Hotel Road / Parcel ID 187-005
3.5+/- Total Acres
Zoning: Comprised of .5 acres +/- Suburban Residence and 3+/- Acres Industrial
Good opportunity for an owner-occupied home and business on the same property. Shared driveway with abutting 2-unit.



145 Eastman Lane / Parcel ID 079-004
16+/- Total Acres
Zoning: Rural Residential
No Water or Sewer Nearby



ORDER: 143-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 1865 Hotel Road Parcel ID 187-005(city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER: 144-10172022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 145 Eastman Lane Parcel ID 079-004 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **September 2022 Financial Report**

DATE: **October 12, 2022**

The following is a discussion regarding the significant variances found in the City's September financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its third month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 25.0% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues, for the City, collected through September 30 were $29,139,470, or 41.35%, of the budget, which is a lower percentage than last year at this time. The percentage difference is 2.83% lower, but the dollar amount of collection is higher by $358,355. Accounts listed below are noteworthy.

A. Excise taxes of $1,223,074-down $10,464 from last year.

B. Property tax revenue of $25,470,090 an increase over last year of $1,524,496.

C. State Revenue Sharing for the month of September is 35.52% or $1,599,744. This is an increase over last year of $257,900.

Expenditures

City expenditures through September 30th were $12,606,993, or 20.76%, of the budget as compared to last year at $14,176,601 or 30.1%. Noteworthy variances are:

In the current fiscal year, the percentage of expenditures is less than last year by 9.34% or $3,523,574 less. The major differences are the timing of Debt Service payments and payment for County Tax. Last year the Debt Service was posted September and this year it will be in October. County Tax was posted in September this year and October last year. Most of the departments are in line with last year's expenditures.

Investments

This section contains an investment schedule as of September 30th with a comparison to August 31st. Currently the City's funds are earning an average interest rate of 0.45%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of September 2022, August 2022, and June 2022

	September 2022	August 2022	Increase (Decrease)	UNAUDITED JUNE 30 2022
ASSETS				
CASH	$ 64,605,962	$ 44,657,967	$ 19,947,995	$ 25,056,314
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,315,403	1,519,401	(203,998)	1,461,282
TAXES RECEIVABLE-CURRENT	23,997,743	43,355,340	(19,357,597)	42,636
DELINQUENT TAXES	451,494	453,121	(1,627)	395,714
TAX LIENS	1,042,894	1,132,483	(89,589)	1,297,627
NET DUE TO/FROM OTHER FUNDS	(16,222,709)	(12,171,613)	(4,051,096)	4,391,622
TOTAL ASSETS	**$ 75,190,787**	**$ 78,946,699**	**$ (3,755,912)**	**$ 32,645,195**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (1,222,503)	$ (637,591)	$ (584,912)	$ (824,510)
PAYROLL LIABILITIES	(1,773,190)	2,962,075	(4,735,265)	2,948,844
ACCRUED PAYROLL	(65)	(91)	26	(263,746)
STATE FEES PAYABLE	(101,609)	(92,786)	(8,823)	(183)
ESCROWED AMOUNTS	(40,436)	(40,436)	(0)	(40,426)
DEFERRED REVENUE	(25,341,775)	(44,790,589)	19,448,814	(1,585,602)
DUE TO OTHER FUNDS	-	-	-	-
TOTAL LIABILITIES	**$ (28,479,578)**	**$ (42,599,418)**	**$ 14,119,840**	**$ 234,377**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (43,712,393)	$ (33,348,465)	$ (10,363,928)	$ (29,880,756)
FUND BALANCE - RESTRICTED	(2,309,553)	(2,309,553)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(689,263)	(689,263)	-	(689,263)
TOTAL FUND BALANCE	**$ (46,711,209)**	**$ (36,347,281)**	**$ (10,363,928)**	**$ (32,879,572)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (75,190,787)**	**$ (78,946,699)**	**$ 3,755,912**	**$ (32,645,195)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH September 30, 2022 VS September 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU SEPT 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 52,463,320	$ 25,470,090	48.55%	$ 50,042,450	$ 23,945,594	47.85%	$ 1,524,496
PRIOR YEAR TAX REVENUE	$ -	$ 62,686		$ -	$ 227,926		$ (165,240)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,770,000	$ -	0.00%	$ 1,650,000	$ 1,290,048	78.18%	$ (1,290,048)
EXCISE	$ 4,435,000	$ 1,223,074	27.58%	$ 4,425,000	$ 1,233,538	27.88%	$ (10,464)
PENALTIES & INTEREST	$ 120,000	$ 10,425	8.69%	$ 120,000	$ 17,903	14.92%	$ (7,478)
TOTAL TAXES	$ 58,788,320	$ 26,766,275	45.53%	$ 56,237,450	$ 26,715,009	47.50%	$ 51,266
LICENSES AND PERMITS							
BUSINESS	$ 190,000	$ 63,047	33.18%	$ 166,000	$ 82,040	49.42%	$ (18,993)
NON-BUSINESS	$ 195,250	$ 99,340	50.88%	$ 300,200	$ 106,027	35.32%	$ (6,687)
TOTAL LICENSES	$ 385,250	$ 162,387	42.15%	$ 466,200	$ 188,067	40.34%	$ (25,680)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 400,000	$ -	0.00%	$ 390,000	$ -	0.00%	$ -
STATE REVENUE SHARING	$ 4,504,100	$ 1,599,744	35.52%	$ 3,150,000	$ 1,341,844	42.60%	$ 257,900
WELFARE REIMBURSEMENT	$ 83,912	$ 45,023	53.66%	$ 90,656	$ 4,160	4.59%	$ 40,863
OTHER STATE AID	$ 32,000	$ -	0.00%	$ 32,000	$ -	0.00%	$ -
CITY OF LEWISTON	$ 182,000	$ -	0.00%	$ 228,384	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 5,202,012	$ 1,644,767	31.62%	$ 3,891,040	$ 1,346,004	34.59%	$ 298,763
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 361,400	$ 31,189	8.63%	$ 184,400	$ 39,199	21.26%	$ (8,010)
PUBLIC SAFETY	$ 30,800	$ 23,576	76.54%	$ 176,600	$ 34,494	19.53%	$ (10,918)
EMS TRANSPORT	$ 1,350,000	$ 346,590	25.67%	$ 1,250,000	$ 362,367	28.99%	$ (15,777)
TOTAL CHARGE FOR SERVICES	$ 1,742,200	$ 401,355	23.04%	$ 1,611,000	$ 436,060	27.07%	$ (34,705)
FINES							
PARKING TICKETS & MISC FINES	$ 28,000	$ 6,044	21.59%	$ 41,500	$ 14,676	35.36%	$ (8,632)
MISCELLANEOUS							
INVESTMENT INCOME	$ 30,000	$ 3,306	11.02%	$ 40,000	$ 5,095	12.74%	$ (1,789)
RENTS	$ 75,000	$ 6,681	8.91%	$ 125,000	$ 4,965	3.97%	$ 1,716
UNCLASSIFIED	$ 20,000	$ 38,518	192.59%	$ 20,000	$ 17,546	87.73%	$ 20,972
COMMERCIAL SOLID WASTE FEES	$ -	$ 12,881		$ -	$ 12,822		$ 59
SALE OF PROPERTY	$ 100,000	$ 436	0.44%	$ 120,000	$ 812	0.68%	$ (377)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 240,000	$ 58,028	24.18%	$ 234,000	$ 38,685	16.53%	$ 19,343
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,140,000	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 619,000	$ -	0.00%	$ 473,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
SPONSORSHIPS - ECON DEVELOPMENT	$ -	$ 38,550		$ -			$ 38,550
CDBG	$ 588,154	$ -	0.00%	$ 252,799	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 243	1.22%	$ 20,000	$ 1,374	6.87%	$ (1,131)
CITY FUND BALANCE CONTRIBUTION	$ 1,500,000	$ -	0.00%	$ 475,000	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 4,332,154	$ 158,642	3.66%	$ 2,900,724	$ 81,299	2.80%	$ 77,343
TOTAL GENERAL FUND REVENUES	**$ 70,477,936**	**$ 29,139,470**	41.35%	**$ 65,147,914**	**$ 28,781,115**	44.18%	**$ 358,355**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 34,826,024	$ 4,846,112	13.92%	$ 28,900,061	$ 7,715,620	26.70%	$ (2,869,508)
EDUCATION	$ 489,465	$ 11,858	2.42%	$ 518,821	$ 31,749	6.12%	$ (19,891)
SCHOOL FUND BALANCE CONTRIBUTION	$ 1,251,726	$ -	0.00%	$ 879,404	$ -	0.00%	$ -
TOTAL SCHOOL	$ 36,567,215	$ 4,857,970	13.29%	$ 30,298,286	$ 7,747,369	25.57%	$ (2,889,399)
GRAND TOTAL REVENUES	**$ 107,045,151**	**$ 33,997,441**	**31.76%**	**$ 95,446,200**	**$ 36,528,484**	**38.27%**	**$ (2,531,043)**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH September 30, 2022 VS September 30, 2022

DEPARTMENT	FY 2023 BUDGET	EXP THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	EXP THRU SEPT 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 170,500	$ 16,338	9.58%	$ 104,850	$ 56,774	54.15%	$ (40,436)
CITY MANAGER	$ 510,978	$ 125,114	24.49%	$ 447,401	$ 143,825	32.15%	$ (18,711)
COMMUNICATIONS & ENGAGEMENT	$ 218,746	$ 53,405	24.41%	$ 911,637	$ 378,388	41.51%	$ (324,983)
CITY CLERK	$ 257,506	$ 60,053	23.32%	$ 237,474	$ 50,654	21.33%	$ 9,399
FINANCE	$ 1,138,802	$ 339,951	29.85%	$ 810,303	$ 184,607	22.78%	$ 155,344
HUMAN RESOURCES	$ 222,099	$ 52,343	23.57%	$ 220,250	$ 50,891	23.11%	$ 1,452
INFORMATION TECHNOLOGY	$ 827,000	$ 333,978	40.38%		$ -		$ 333,978
TOTAL ADMINISTRATION	$ 3,345,631	$ 981,182	29.33%	$ 2,731,915	$ 865,139	31.67%	$ 116,043
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 666,629	$ 182,036	27.31%	$ 900,583	$ 206,339	22.91%	$ (24,303)
ECONOMIC DEVELOPMENT	$ 286,598	$ 79,479	27.73%	$ 108,469	$ 23,038	21.24%	$ 56,441
BUSINESS & COMMUNITY DEVELOPMENT	$ 671,411	$ 79,191	11.79%	$ 512,260	$ 68,056	13.29%	$ 11,135
HEALTH & SOCIAL SERVICES	$ 119,875	$ 15,855	13.23%	$ 119,875	$ 15,086	12.58%	$ 769
RECREATION	$ 762,440	$ 144,237	18.92%	$ 584,056	$ 137,668	23.57%	$ 6,569
PUBLIC LIBRARY	$ 1,084,437	$ 90,370	8.33%	$ 1,052,163	$ 263,041	25.00%	$ (172,671)
TOTAL COMMUNITY SERVICES	$ 3,591,390	$ 591,168	16.46%	$ 3,277,406	$ 713,228	21.76%	$ (122,060)
FISCAL SERVICES							
DEBT SERVICE	$ 8,361,254	$ 90,807	1.09%	$ 7,734,169	$ 6,523,785	84.35%	$ (6,432,978)
CAPITAL INVESTMENT AND PURCHASING	$ 672,473	$ 132,372	19.68%	$ 677,872	$ 208,718	30.79%	$ (76,346)
WORKERS COMPENSATION	$ 698,000	$ -	0.00%	$ 642,400	$ -	0.00%	$ -
WAGES & BENEFITS	$ 7,876,393	$ 1,688,542	21.44%	$ 7,334,932	$ 1,645,678	22.44%	$ 42,864
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ -	0.00%	$ -
TOTAL FISCAL SERVICES	$ 18,069,350	$ 1,911,721	10.58%	$ 16,850,603	$ 8,378,181	49.72%	$ (6,466,460)
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,693,284	$ 1,307,477	22.97%	$ 5,446,588	$ 1,325,595	24.34%	$ (18,118)
POLICE DEPARTMENT	$ 4,945,034	$ 1,052,814	21.29%	$ 4,343,924	$ 992,755	22.85%	$ 60,059
TOTAL PUBLIC SAFETY	$ 10,638,318	$ 2,360,291	22.19%	$ 9,790,512	$ 2,318,350	23.68%	$ 41,941
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,600,109	$ 1,105,306	19.74%	$ 5,077,370	$ 1,062,090	20.92%	$ 43,216
SOLID WASTE DISPOSAL*	$ 1,320,000	$ 198,546	15.04%	$ 1,089,950	$ 167,815	15.40%	$ 30,731
WATER AND SEWER	$ 792,716	$ 195,301	24.64%	$ 792,716	$ 195,301	24.64%	$ -
TOTAL PUBLIC WORKS	$ 7,712,825	$ 1,499,153	19.44%	$ 6,960,036	$ 1,425,206	20.48%	$ 73,947
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 205,000	$ 204,593	99.80%	$ 177,000	$ 176,115	99.50%	$ 28,478
E911 COMMUNICATION CENTER	$ 1,217,713	$ 336,199	27.61%	$ 1,161,479	$ 290,382	25.00%	$ 45,817
LATC-PUBLIC TRANSIT	$ 431,811	$ -	0.00%	$ 225,000	$ -	0.00%	$ -
LA ARTS	$ 30,000	$ 7,500	25.00%	$ 10,000	$ 10,000	100.00%	$ (2,500)
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 2,144,524	$ 548,292	25.57%	$ 1,833,479	$ 476,497	25.99%	$ 71,795
COUNTY TAX	$ 2,761,220	$ 2,761,220	100.00%	$ 2,611,080	$ -	0.00%	$ 2,761,220
TIF (10108058-580000)	$ 3,049,803		0.00%	$ 3,049,803	$ -	0.00%	$ -
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 51,313,061**	**$ 10,653,027**	**20.76%**	**$ 47,104,834**	**$ 14,176,601**	**30.10%**	**$ (3,523,574)**
EDUCATION DEPARTMENT	$ 55,732,090	$ 1,953,966	3.51%	$ 48,341,366	$ 4,905,037	10.15%	$ (2,951,071)
TOTAL GENERAL FUND EXPENDITURES	**$ 107,045,151**	**$ 12,606,993**	**11.78%**	**$ 95,446,200**	**$ 19,081,638**	**19.99%**	**$ (6,474,645)**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF September 30, 2022

INVESTMENT		FUND	BALANCE September 30, 2022	BALANCE August 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 7,335,706.20	$ 7,333,038.60	**0.30%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,053,403.90	$ 1,053,416.59	**0.30%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 17,199,819.81	$ 4,388,575.08	**0.30%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,644.12	$ 52,624.69	**0.30%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 340,379.76	$ 340,253.91	**0.30%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 227,273.54	$ 227,189.52	**0.30%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 66,743.20	$ 64,721.14	**0.30%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 301,183.19	$ 200,438.48	**0.30%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,401.70	$ 15,396.58	**0.30%**
NOMURA 1		ELHS Bond Proceeds	$ 5,840,941.97	$ 10,649,241.97	**0.15%**
NOMURA 2			$ 55,430,000.00	$ 55,430,000.00	**2.08%**
GRAND TOTAL			**$ 87,863,497.39**	**$ 79,754,896.56**	**0.45%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2022 - June 30, 2023
Report as of September 30, 2022

	Beginning Balance 9/1/2022	September 2022					Ending Balance 9/30/2022
		New Charges	Payments	Refunds	Adjustments	Write-Offs	
Bluecross	**$ 13,121.13**	$ 13,596.80	$ (4,553.09)		$ (7,034.61)		**$ 15,130.23**
Intercept	**$ 100.00**	$ 100.00	$ -				**$ 200.00**
Medicare	**$ 181,848.34**	$ 155,567.20	$ (60,577.21)		$ (155,085.00)		**$ 121,753.33**
Medicaid	**$ 76,633.64**	$ 63,625.60	$ (44,655.22)		$ (16,196.42)		**$ 79,407.60**
Other/Commercial	**$ 91,463.06**	$ 28,756.00	$ (22,923.71)		$ 879.17	$ (11,858.87)	**$ 86,315.65**
Patient	**$ 106,972.98**	$ 18,008.60	$ (9,767.86)	$ 311.10	$ 12,773.03	$ (3,482.91)	**$ 124,814.94**
Worker's Comp	**$ -**		$ (1,681.00)		$ 1,681.00		**$ -**
TOTAL	**$ 470,139.15**	**$ 279,654.20**	**$ (144,158.09)**	**$ 311.10**	**$ (162,982.83)**	**$ (15,341.78)**	**$ 427,621.75**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2022 - June 30, 2023
Report as of September 30, 2022

	July 2022	August 2022	Sept 2022	Totals	% of Total
Bluecross	$ 2,477.35	$ 13,307.40	$ 13,596.80	$ 29,381.55	3.21%
Intercept	$ 100.00	$ -	$ 100.00	$ 200.00	0.02%
Medicare	$ 155,398.20	$ 205,712.40	$ 155,567.20	$ 516,677.80	56.45%
Medicaid	$ 61,000.80	$ 82,386.60	$ 63,625.60	$ 207,013.00	22.62%
Other/Commercial	$ 38,520.45	$ 50,549.60	$ 28,756.00	$ 117,826.05	12.87%
Patient	$ 8,120.20	$ 12,558.80	$ 18,008.60	$ 38,687.60	4.23%
Worker's Comp	$ 1,803.40	$ 3,664.60	$ -	$ 5,468.00	0.60%
TOTAL	$ 267,420.40	$ 368,179.40	$ 279,654.20	$ 915,254.00	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2022 - June 30, 2023
Report as of September 30, 2022

	July 2022	August 2022	Sept 2022	Totals	% of Total
Bluecross	3	13	14	30	3.00%
Intercept	1	0	1	2	0.20%
Medicare	170	231	170	571	57.10%
Medicaid	65	88	69	222	22.20%
Other/Commercial	43	54	30	127	12.70%
Patient	10	13	19	42	4.20%
Worker's Comp	2	4		6	0.60%
TOTAL	294	403	303	1000	100.00%

EMS BILLING
AGING REPORT
July 1, 2022 to June 30, 2023
Report as of September 30, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 11,900.38	79%	$ -	0%	$ 917.26	6%	$ (581.70)	-4%	$ 2,894.29	19%	$ 15,130.23	3.54%
Intercept	$ 100.00	50%	$ 100.00	50%	$ -	0%	$ -	0%	$ -	0%	$ 200.00	0.05%
Medicare	$ 100,128.90	82%	$ 10,943.60	9%	$ 1,032.40	1%	$ 1,018.00	1%	$ 8,630.43	7%	$ 121,753.33	28.47%
Medicaid	$ 45,035.19	57%	$ 17,846.14	22%	$ 8,813.02	11%	$ 6,368.41	8%	$ 1,344.84	2%	$ 79,407.60	18.57%
Other/Commercial	$ 29,367.95	34%	$ 25,964.93	30%	$ 10,329.97	12%	$ 3,704.34	4%	$ 16,948.46	20%	$ 86,315.65	20.19%
Patient	$ 47,431.95	38%	$ 22,584.59	18%	$ 16,701.96	13%	$ 19,684.02	16%	$ 18,412.42	15%	$ 124,814.94	29.19%
Worker's Comp											$ -	0.00%
TOTAL	$ 233,964.37		$ 77,439.26		$ 37,794.61		$ 30,193.07		$ 48,230.44		$ 427,621.75	
	55%		18%		9%		7%		11%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of September 30, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1930 211 Fairview	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant
Fund Balance 7/1/22	$ 517,052.67	$ 6,919.98	$ 34,914.39	$ 1,421.68	$ 3,039.35	$ -	$ 4,796.03	$ (566,303.71)	$ 169.19	$ 2,808.57	$ 79,868.61	$ (153,799.68)	$ 4,289.65	$ 23,595.00	$ 4,356.29	$ 5,520.52
Revenues FY23	$ 28,763.55	$ 56.00	$ 20.25			$ 100.00					$ 75,100.00			$ 4,725.00		
Expenditures FY23					$ 132.80	$ 170.77			$ 115.79		$ 313,485.96	$ 16,560.71	$ 1,109.79	$ -		$ 2,820.39
Fund Balance 09/30/2022	**$ 545,816.22**	**$ 6,975.98**	**$ 34,934.64**	**$ 1,421.68**	**$ 2,906.55**	**$ (70.77)**	**$ 4,796.03**	**$ (566,303.71)**	**$ 53.40**	**$ 2,808.57**	**$ (158,517.35)**	**$ (170,360.39)**	**$ 3,179.86**	**$ 28,320.00**	**$ 4,356.29**	**$ 2,700.13**

	2016 Pedestrian Safety	2018 Nat Opioid Settlement	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2048 TD Tree Days	2050 Project Lifesaver	2051 Project Canopy
Fund Balance 7/1/22	$ 409.11	$ -	$ (8,205.29)	$ 1,069,816.45	$ 30,822.46	$ 46,171.40	$ 2,560.00	$ 8,281.24	$ 20,536.23	$ 22,850.45	$ (930.00)	$ 92,332.26	$ (1,695.00)	$ -	$ 189.35	$ (9,519.48)
Revenues FY23		$ 36,912.22		$ 400,554.60	$ 119.34	$ 33,629.00						$ 14,450.82		$ 9,600.00		$ 7,996.88
Expenditures FY23	$ 917.14			$ 433,983.64	$ 137.00	$ 77,902.08		$ 2,909.14		$ 750.00						
Fund Balance 09/30/2022	**$ (508.03)**	**$ 36,912.22**	**$ (8,205.29)**	**$ 1,036,387.41**	**$ 30,804.80**	**$ 1,898.32**	**$ 2,560.00**	**$ 5,372.10**	**$ 20,536.23**	**$ 22,100.45**	**$ (930.00)**	**$ 106,783.08**	**$ (1,695.00)**	**$ 9,600.00**	**$ 189.35**	**$ (1,522.60)**

	2054 EMS Transport Capital Reserve	2055 Work4ME-PAL	2059 Distracted Driving	2064 MDOT Sopers Mill Culvert	2065 State Bi-Centenial Parade	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2201 EDI Grant	2300 ARPA Grant	2400 NRPA Youth Mentoring	2405 Elmina B Sewall Grant	2500 Parks & Recreation	6200 Ingersoll Turf
Fund Balance 7/1/22	$ 170,048.62	$ 4,911.03	$ 898.69	$ -	$ -	$ 209.00	$ 178,046.71	$ (3,500.00)	$ 1,719.02	$ 25,353.61	$ (1,484,407.18)	$ 12,716,078.13	$ (1,443.69)	$ 10,000.00	$ 232,365.87	
Revenues FY23	$ 129.91											$ 4,398.91			$ 110,159.82	
Expenditures FY23			$ 604.26	$ -								$ 462,057.31	$ 5,226.78		$ 230,243.35	
Fund Balance 09/30/2022	**$ 170,178.53**	**$ 4,911.03**	**$ 294.43**	**$ -**	**$ -**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 1,719.02**	**$ 25,353.61**	**$ (1,484,407.18)**	**$ 12,258,419.73**	**$ (6,670.47)**	**$ 10,000.00**	**$ 112,282.34**	**$ -**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	Total Special Revenues
Fund Balance 7/1/22	**$ 78,950.70**	**$ 806,274.01**	**$ 237,684.12**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	$ 1,120.91	$ 50,241.31	$ 84,060.95	$ 33,113.81	$ 13,914.35	$ (102,204.06)	$ 13,350,001.09
Revenues FY23															$ 726,521.52
Expenditures FY23			$ 3,481.40											$ 3,415.00	$ 1,556,023.31
Fund Balance 09/30/2022	**$ 78,950.70**	**$ 806,274.01**	**$ 234,202.72**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	**$ 1,120.91**	**$ 50,241.31**	**$ 84,060.95**	**$ 33,113.81**	**$ 13,914.35**	**$ (105,619.06)**	$ 12,520,499.30

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for September 30, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of September 30, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of September 30, 2022.

Current Assets:
As of the end of September 2022 the total current assets of Ingersoll Turf Facility were $227,103. This consisted of cash and cash equivalents of $227,103.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of September 30, 2022, were $61,779.

Liabilities:
Ingersoll had no accounts payable and an interfund payable of $29,534 as of September 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through September 2022 are $12,012. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through September 2022 were $16,177. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of September 30, 2022, Ingersoll has an operating loss of $4,166.

As of September 30, 2022, Ingersoll has a decrease in net assets of $4,166.

The budget to actual reports for revenue and expenditures, show the revenue and expenditures for FY23 compared to the same period in FY22.

Statement of Net Assets
Ingersoll Turf Facility
September 30, 2022
Business-type Activities - Enterprise Fund

		Sept 30 2022	August 31 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 227,103	$ 227,103	$ -
Interfund receivables/payables			$ -	-
Accounts receivable		-	-	-
	Total current assets	227,103	227,103	-
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(748,757)	(748,757)	-
	Total noncurrent assets	61,779	61,779	-
	Total assets	288,882	288,882	-
LIABILITIES				
Accounts payable		$ -	$ -	-
Interfund payable		$ 29,534	$ 22,334	7,200
Total liabilities		29,534	22,334	7,200
NET ASSETS				
Invested in capital assets		$ 61,779	$ 61,779	$ -
Unrestricted		$ 197,569	$ 204,769	$ (7,200)
Total net assets		**$ 259,348**	**$ 266,548**	**$ (7,200)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
September 30, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 12,012
Operating expenses:	
Personnel	
Supplies	3,400
Utilities	
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	11,136
Other expenses	1,641
Total operating expenses	16,177
Operating gain (loss)	(4,166)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(4,166)
Transfers out	-
Change in net assets	(4,166)
Total net assets, July 1	263,514
Total net assets, September 30, 2022	**$ 259,348**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through September 30, 2022 compared to Se[tember 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU SEPT 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship		$ 1,000		$ 25,000	$ 1,525	6.10%
Batting Cages		$ 750		$ 13,000	$ 60	0.46%
Programs		$ 1,210		$ 94,000	$ 460	0.49%
Rental Income		$ 8,965		$ 138,000	$ 5,370	3.89%
TOTAL CHARGE FOR SERVICES	$ -	$ 11,925		$ 270,000	$ 7,415	2.75%
INTEREST ON INVESTMENTS	$ -	$ 87		$ -	$ 135	
GRAND TOTAL REVENUES	**$ -**	**$ 12,012**		**$ 270,000**	**$ 7,550**	**2.80%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through August 31, 2022 compared to August 31, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU SEPT 2021	% OF BUDGET	Difference
Salaries & Benefits	See Recreation Budget			$ 133,041	$ 32,549	24.47%	$ (32,549)
Purchased Services				$ 15,750	$ 221	1.40%	$ (221)
Programs		$ 3,400		$ 16,300	$ -	0.00%	$ 3,400
Supplies		$ 1,641		$ 2,500	$ 1,168	46.72%	$ 473
Utilities				$ 24,150	$ 2,098	8.69%	$ (2,098)
Insurance Premiums	$ -			$ -	$ -		
Capital Outlay	$ -	$ 11,136		$ -	$ -		$ 11,136
	$ -	$ 16,177		$ 191,741	$ 36,036	18.79%	$ (19,859)
GRAND TOTAL EXPENDITURES	**$ -**	**$ 16,177**		**$ 191,741**	**$ 36,036**	**18.79%**	**$ (19,859)**

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for September 30, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of September 30, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, August 31, 2022.

Current Assets:
As of the end of September 2022 the total current assets of Norway Savings Bank Arena were ($1,383,033). These consisted of cash and cash equivalents of $280,688, accounts receivable of $73,092, and an interfund payable of $1,736,813.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of September 30, 2022 was $147,691.

Liabilities:
Norway Arena had accounts payable $6,025 as of September 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through September 2022 are $158,764. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through September 2022 were $164,281. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of September 2022, Norway Arena has an operating loss of $5,517.

As of September 30, 2022, Norway Arena has a decrease in net assets of $5,517.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY22 is $22,130 more than in FY21 and expenditures in FY22 are $89,992 more than last year in September.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
September 30, 2022
Business-type Activities - Enterprise Fund

		September 30 2022	August 31 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 280,688	$ 280,710	$ (22)
Interfund receivables		$ (1,736,813)	$ (1,641,510)	$ (95,303)
Prepaid Rent				$ -
Accounts receivable		73,092	49,006	$ 24,086
	Total current assets	(1,383,033)	(1,311,794)	(71,239)
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(425,531)	(425,531)	-
	Total noncurrent assets	147,691	147,691	-
	Total assets	(1,235,342)	(1,164,103)	(71,239)
LIABILITIES				
Accounts payable		$ 6,025	$ 45,133	$ (39,108)
Net OPEB liability		$ 43,810	$ 43,810	$ -
Net pension liability		42,634	42,634	-
Total liabilities		92,469	131,577	(39,108)
NET ASSETS				
Invested in capital assets		$ 147,691	$ 147,691	$ -
Unrestricted		$ (1,475,502)	$ (1,443,371)	$ (32,131)
Total net assets		**$ (1,327,811)**	**$ (1,295,680)**	**$ (32,131)**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
September 30, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 158,764
Operating expenses:	
Personnel	81,989
Supplies	9,590
Utilities	14,160
Repairs and maintenance	35,216
Insurance Premium	-
Depreciation	
Capital expenses	18,586
Other expenses	4,740
Total operating expenses	164,281
Operating gain (loss)	(5,517)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	(5,517)
Transfers out	-
Change in net assets	(5,517)
Total net assets, July 1	(1,322,294)
Total net assets, September 30, 2022	**$ (1,327,811)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through Se[tember 30, 2022 compared to September 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU SEPT 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500		0.00%	$ 16,500	$ 2,000	12.12%	$ (2,000)
Skate Rentals	$ 6,000		0.00%	$ 7,500	$ 425	5.67%	$ (425)
Pepsi Vending Machines	$ 2,000	$ 265	13.25%	$ 3,000	$ 320	10.67%	$ (55)
Games Vending Machines	$ 3,000		0.00%	$ 3,000	$ -	0.00%	$ -
Vending Food	$ 2,000	$ 54	2.70%	$ 3,000	$ -	0.00%	$ 54
Sponsorships	$ 230,000	$ 59,865	26.03%	$ 230,000	$ 49,988	21.73%	$ 9,877
Pro Shop	$ 7,000		0.00%	$ 7,000	$ 1,076	15.37%	$ (1,076)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 702,000	$ 70,770	10.08%	$ 731,850	$ 59,465	8.13%	$ 11,305
Camps/Clinics	$ 50,000	$ 16,860	33.72%	$ 50,000	$ 23,360	46.72%	$ (6,500)
Tournaments	$ 50,000	$ 10,950	21.90%	$ 50,000		0.00%	$ 10,950
TOTAL CHARGE FOR SERVICES	$ 1,088,500	$ 158,764	14.59%	$ 1,121,850	$ 136,634	12.18%	$ 22,130

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through September 30, 2022 compared to September 30, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU SEPT 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU SEPT 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 291,095	$ 81,989	28.17%	$ 339,437	$ 38,328	11.29%	$ 43,661
Purchased Services	$ 136,900	$ 39,956	29.19%	$ 123,928	$ 8,465	6.83%	$ 31,491
Supplies	$ 76,562	$ 9,590	12.53%	$ 79,000	$ 21,594	27.33%	$ (12,004)
Utilities	$ 267,000	$ 14,160	5.30%	$ 250,350	$ 5,902	2.36%	$ 8,258
Capital Outlay	$ 50,000	$ 18,586	37.17%	$ 42,500	$ -	0.00%	$ 18,586
Rent	$ -	$ -		$ -	$ -		$ -
	$ 821,557	$ 164,281	20.00%	$ 835,215	$ 74,289	8.89%	$ 89,992
GRAND TOTAL EXPENDITURES	**$ 821,557**	**$ 164,281**	**20.00%**	**$ 835,215**	**$ 74,289**	**8.89%**	**$ 89,992**

City Council Workshop & Meeting
Agenda
November 7, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Annual Community Development Survey – Glen Holmes
- **B.** Neighborhood Corner Store Program – Glen Holmes
- **C.** Executive session to discuss real estate negotiations which premature disclosure of the information would prejudice the competitive or bargaining position of the city, pursuant to 1 M.R.S.A. §405(6)(C).
- **D.** Executive session to a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A).

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Walker

Pledge of Allegiance

I. Consent Items – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 145-11072022*
Accepting the transfer of $7,523 and a Smith & Wesson .38 caliber revolver to Auburn Police Department (Unified Criminal Court Docket No. CR-22-1525).

2. Order 146-11072022*
Appointing Planning Board members, Toni Ferraro, Brian DuBois, and Paul Jacques to the Mayor's Ad Hoc Committee to develop permit ready housing as nominated by the Planning Board.

3. Order 147-11072022*
Appointing Warden's and Ward Clerks for the November 8, 2022 Election

II. Minutes – October 17, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Proclamation and Recognition – Extra Mile Day
- Update on MSHA Community Solutions Grant Award and Final Program Overview – Glen Holmes
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

4. Ordinance 20-09062022
Amending the zoning district T-4.2B. Second reading.

VI. New Business

1. Order 148-11072022
Authorizing the allocation of Two Hundred Fifteen Thousand Dollars ($215,000) of ARPA Funds to create the Downtown Curb Appeal Grant Program.

2. Order 149-11072022
Approving the MSEA Labor Contract.

3. Order 150-11072022
Allocating up to $50,000 from the American rescue Plan Act (ARPA) funds to purchase two trailers as part of the Community Outreach and Community Beautification Trailor Program.

4. Order 151-11072022
Directing the Planning Board to provide a recommendation on a text amendment whether to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Community Development Annual Survey

Information:
The Community Development office releases an annual community survey each year to gather data and solicit input to inform the development of the city's Annual Action Plan as is prescribed in detail within the city's Citizen Participation Plan. This survey will be released in early December and circulate through February 2023.

This process includes both web-based as well as written surveys which are published in five languages and distributed in public locations including municipal buildings, food pantries, daycare centers, senior housing facilities and through the PAL center.

The previous year survey, which was focused on the impact of Covid-19, had 362 total respondents covering over 1,000 individual residents. As this survey process is refined and circulation time extended the Community Development office expects to, at a minimum, double the number of the respondents.

City Budgetary Impacts:
n/a

Staff Recommended Action:
Receive input and suggestions from the City Council on the data collected through this process.

Previous Meetings and History:
n/a

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
DRAFT 2022 Community Development Survey

Auburn Community Development Survey

The Auburn Community Development Office is seeking YOUR input in the development of programs and services. Data derived from this survey will be used to influence programs and services offered in part by the City of Auburn as well as through non-profit service providers. **Please complete one per Household**.

Demographic Information

Are you an Auburn Resident: ? ☐ Yes ☐ No

Is anyone not in your direct household currently living with you? ☐ Yes ☐ No

Housing Type:

☐ Unhoused ☐ Rental ☐ Homeowner

Please detail Household size:

Total Occupants:	
# of Seniors (62+):	
# of Adults 18-61:	
# of Children 7-17:	
# of Children under 6y:	
Total # of Bedrooms:	

Gross Household Income: (include all wages, benefits, Child support, etc. for all adults)

Race & Ethnicity: Number of all members:

	Race	**Hispanic**
White		
Black/African American		
Asian		
American Indian/Alaskan Native		
Native Hawaiian/Other Pacific Islander		
American Indian/Alaskan Native & White		
Asian & White		
Black/African American & White		
American Indian/Alaskan Native & Black/African American		
Other Multi-Racial		

What is the highest level of education in the household?	☐ Less than High School ☐ High Diploma or GED ☐ Associate Degree ☐ Bachelor's Degree ☐ Master's Degree ☐ More than Master's Degree
Is any member of your household under or unemployed?	☐ Yes ☐ No
If under/unemployed, what are the barriers to employment?	☐ No barriers ☐ Childcare ☐ Transportation ☐ Disability ☐ Language skills ☐ Skills in applying for a job ☐ Computer Skills ☐ Lack of education ☐ Other: _____

Neighborhood & Housing

What neighborhood do you live in?	☐ Downtown ☐ Union St ☐ New Auburn ☐ North Auburn ☐ West Auburn ☐ Greater Washington Ave ☐ Unknown
What type of neighborhood do you live in?	☐ Rural ☐ Urban ☐ Suburban
In the past year, have you or a member of your household experienced homelessness?	☐ Yes ☐ No
If not housed, what is your current housing situation?	☐ living temporarily with someone else (i.e. couch surfing) ☐ living in a vehicle ☐ living in a temporary shelter such as a tent ☐ living with no shelter ☐ other: _____
If housed, how much of your monthly income goes towards rent & utilities?	☐ ≤30% ☐ 30-50% ☐ 51+%
If housed, does your home fit your housing need?	☐ No, too small ☐ Yes ☐ No, too large
Does your home have any of the following characteristics?	☐ Unable to lock all windows & doors ☐ Poor air quality ☐ Lead Paint Hazards ☐ Cold & drafty ☐ Cluttered or unsanitary ☐ Rodents or infestations ☐ Roof leaks or wet basement ☐ other: _____

DRAFT

Please rate Auburn on each of the following characteristics:			
As a place to live:	☐ poor	☐ fair	☐ excellent
As a place to work:	☐ poor	☐ fair	☐ excellent
As a place to shop:	☐ poor	☐ fair	☐ excellent
As a place for entertainment:	☐ poor	☐ fair	☐ excellent
As a place for recreation:	☐ poor	☐ fair	☐ excellent
As a place people like to visit:	☐ poor	☐ fair	☐ excellent
As a place to raise children:	☐ poor	☐ fair	☐ excellent
Does your neighborhood have any of these conditions?	☐ Commercial properties ☐ Deserted buildings ☐ Litter ☐ River areas ☐ Run down houses ☐ Shopping ☐ Street trees ☐ Vacant lots ☐ Well-kept houses ☐ Yards ☐ Sidewalks ☐ Street lights ☐ Other: _____		

Essential Needs and Services

Compared to last year, how has your financial situation changed?	☐ Better Off ☐ Worse Off ☐ No change
In the last six months, has your household struggled with not having enough food to eat?	☐ Yes ☐ No
If yes, how often has your household struggled with food insecurity?	☐ More Than Weekly ☐ Weekly ☐ Monthly ☐ Less than Monthly
Does your household have adequate access to schooling and education?	☐ Yes ☐ No
Does your household have adequate and reliable access to the internet?	☐ Yes ☐ No
In the past six months, have you worried about how you were going to pay for medication or medical expenses for yourself or a member of your household?	☐ Yes ☐ No
In the past six months, have you worried about how you were going to pay utility bills?	☐ Yes ☐ No
Please check **3 Services** that you believe the city should focus on.	☐ Senior ☐ Youth ☐ Homelessness ☐ Neighborhood Cleanups ☐ Battered & abused spouses ☐ Food Banks ☐ Childcare ☐ Community Gardens ☐ Public Transportation ☐ Substance abuse ☐ Employment Training

Transportation

Does your household have adequate and reliable transportation?	☐ Yes ☐ No
Have you used public transportation in the past six months?	☐ Yes ☐ No
If yes, for what purpose?	☐ Work ☐ Shopping ☐ Medical appointment ☐ Other:_____
Do you walk in your neighborhood?	☐ Yes ☐ No
If not, what keeps you from walking?	☐ Lack of sidewalks ☐ Distance to destination ☐ Snow/Ice on sidewalks ☐ Difficult crossing roads ☐ Not accessible to wheelchairs/strollers ☐ Safety Concerns

City Priorities

Please check **3 priorities** that you believe the city should focus on.	☐ Affordable Housing ☐ Senior housing ☐ Housing Rehab ☐ Rental assistance ☐ Public Services ☐ Parks & trail facilities ☐ Public Transportation ☐ Food assistance ☐ Economic opportunities ☐ Other: _____

DRAFT

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022,

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Neighborhood Corner Store Program

Information:
The City of Auburn is seeking funds from the American Rescue Plan Act (ARPA) to support the establishment or expansion of essential corner stores which derive most of their revenues from the sale of food and groceries. This forgivable loan program aligns with the city's strategic goal of enhancing access to healthy food choices, while creating healthy neighborhoods within the urban core.

City Budgetary Impacts:
This program will not impact the Cities Budget as The Office of Business & Community Development is seeking $150,000 in ARPA funds to administer the program.

Staff Recommended Action:
Discussion and feedback.

Previous Meetings and History:
City Council Meeting October 3, 2022, during Communications and Presentations, Mayor Leveque proposed action for staff to work from.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Neighborhood Corner Store Program Overview

City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Neighborhood Corner Store Program Overview

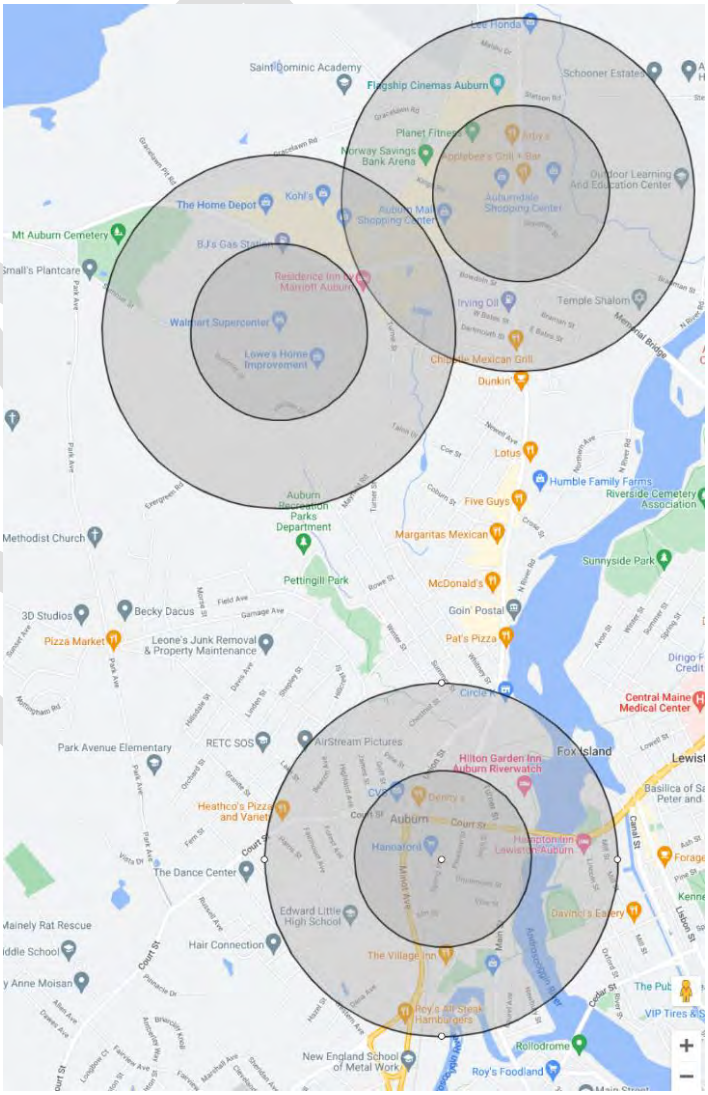
Purpose

The purpose of the Neighborhood Corner Storer program is to support the establishment or expansion of essential corner stores which derive most of their revenues from the sale of food and groceries. This initiative aligns with goals established within the city Comprehensive Plan which aim to "ensure that fresh, local food is equitably accessible to everyone regardless of income or geography" (Objective K.1.1) by "supporting practices that facilitate access to healthy food in residential settings" (Objective K.1.3).

Funding

The City of Auburn may allocate $150,000 from the City ARPA funds for this program to provide funds to a minimum of 4 businesses. Maximum assistance is $35,000 per location for approved expenses.

All proposals will provide a detailed budget and explain how this expansion or construction will provide a net increase in healthy food options to their neighborhood. Financial assistance will only be available to those projects meeting eligibility requirements and preference will be given to projects that can be completed in a timely manner and make the most quantifiable impact on the local market.



Eligibility

Maine based food retailers (e.g. grocery stores, large convenience stores, cooperatives, etc.) which derive 50+% of their sales from food and groceries are eligible for financial assistance. The funds can be used to upgrade store infrastructure necessary to improve the selection of healthy food offerings or facilitate access to grocery retailers. Only projects not within (1/2 mile or 1/4 mile) of a regional or national chain, are eligible.

Eligible requests may include:

- **Funding for equipment and stock improvements for SNAP and/or WIC (Women, Infant, Children) eligible inventories**
  - For both new and existing retailers, improvements should enhance the ability of retailers to offer high quality produce and other healthy foods and serve a broader clientele. This could include the purchase of a refrigeration unit for produce at the front of the store. Marketing and merchandizing assistance should focus on the provision of healthy products or de-emphasis on unhealthy products.
  - For new retailers, funding can be requested for capital start-up costs, which include equipment and other retail infrastructure. Funding for marketing/merchandizing assistance can also be requested.
- **Funding for a grocery store shuttle program**
  - Funds could be used by a full-service supermarket or organization partnering with a full-service supermarket to provide low or no-cost transportation between established grocery retailers and priority neighborhoods. Projects could include a general community outreach plan that involves contacting community leaders in priority neighborhoods and details of frequency and timing of service.

The City will accept and consider applications on a rolling basis, based on the availability of funds.
In order to be eligible to receive funds, all property taxes, real and personal, owed on the property that is the subject of the application must be current at the time the application is made. Any property on which there is past due balance for such taxes will be removed from consideration.

Corner Store Accelerator

Sources and Uses	Unit Price	Quantity	Budget
Total Sources=			$150,000
Auburn Funds (ARPA)			$150,000
Total Uses=			$150,000
Program Administration (1 year)			$8,000
Forgivable Loans	$35,000.00	*4*	$140,000
Marketing and supplies			$2,000

Marketing

The City of Auburn will utilize funds to educate local neighborhoods of existing and increased access to local, healthy food options directly or through a local organization which specializes in furthering food security and access goals.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022
Subject: Executive Session
Information: Real estate negotiations which premature disclosure of the information would prejudice the competitive or bargaining position of the city, pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022

Subject: Executive Session

Information: Personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Meeting Date: November 7, 2022 **Order:** 145-11072022

Author: Jason D. Moen, Chief of Police

Subject: Transfer of Forfeiture Assets – Derek B. Dube

Information:

In July of 2022, Auburn Police Department Sergeant Nicholas Gagnon conducted a traffic stop in which Derek B. Dube was a passenger. Sgt. Gagnon Arrested Dube on an outstanding arrest warrant. While conducting a search incident to the arrest, Sgt. Gagnon found Dube in possession of 43 grams of fentanyl, $7,523 in cash and a loaded Smith & Wesson .38 caliber revolver (serial # 13-48018). Dube is a convicted felon for offenses including aggravated assault and domestic violence assault. Dube was ultimately charged with aggravated trafficking of scheduled drugs Class A, unlawful possession of fentanyl powder Class C, violating conditions of release Class C, and illegal possession of a firearm Class C.

City Budgetary Impacts: The State of Maine, Office of the Attorney General, seeks to transfer $7,523 Currency and a Smith & Wesson .38 caliber revolver to the Auburn Police Department. Funds will be used for ongoing K-9 expenses.

Staff Recommended Action: Vote to accept the transfer of $7,523 and a Smith & Wesson .38 caliber revolver.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

*None

Auburn Police Department

Jason D. Moen | Chief of Police

Timothy A. Cougle | Deputy Chief of Police

www.AuburnMaine.gov | 207.333.6650

60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: October 19, 2022

To: Chief Jason Moen

From: Lieutenant Anthony Harrington

RE: CITY COUNCIL TRANSFER OF FORFEITURE ASSET – ERIN LOVELY

In July of 2022, Auburn Police Department Sergeant Nicholas Gagnon conducted a traffic stop in which Derek B. Dube was a passenger. Sgt. Gagnon Arrested Dube on an outstanding arrest warrant. While conducting a search incident to the arrest, Sgt. Gagnon found Dube in possession of 43 grams of fentanyl, $7,523 in cash and a loaded Smith & Wesson .38 caliber revolver (serial # 13-48018). Dube is a convicted felon for offenses including aggravated assault and domestic violence assault. Dube was ultimately charged with aggravated trafficking of scheduled drugs Class A, unlawful possession of fentanyl powder Class C, violating conditions of release Class C, and illegal possession of a firearm Class C.

ORDER 145-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby accepts the transfer of $7,523 and a Smith & Wesson .38 caliber revolver to Auburn Police Department (Unified Criminal Court Docket No. CR-22-1525).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order:** 146-11072022

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming the Appointments to the Mayor's Ad Hoc Committee to develop permit ready housing as recommended by the Planning Board

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The Planning Board recommended and voted on the following 3 individuals to serve on the Mayor's Ad Hoc Committee to develop permit ready housing. Toni Ferraro, Brian DuBois, and Paul Jacques.

City Budgetary Impacts: None

Staff Recommended Action: Motion to confirm the appointments to serve on the Committee.

Previous Meetings and History: September 6, 2022, October 17, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Applications, Orders

ORDER 146-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the following appointments to the Mayor's Ad Hoc Committee to Develop Permit Ready Housing as recommended and voted on by the Planning Board:

Toni Ferraro
Brian DuBois
Paul Jacques

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order:** 147-11072022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointing Wardens and Ward Clerks for the November 8, 2022 Election.

Information:

Warden and Ward Clerk Appointments are normally made every two years, however, there have been vacancies and challenges filling these positions. The City Clerk has nominated the individuals below to fill the Warden and Ward Clerk vacancies for the November 8, 2022 Election.

Audrey Murphy - Warden
Christine Sirois – Ward Clerk
Robert Hayes – Warden
Carl Young – Ward Clerk
Miles Smith – Warden
Laura Shaw – Ward Clerk
Doreen Jordan – Warden
Stephen Martelli – Ward Clerk

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Appointments are made every two years or when there is a vacancy.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Order

ORDER 147-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints the following to serve as Wardens & Ward Clerks for the November 8, 2022 Election.

Audrey Murphy - Warden
Christine Sirois – Ward Clerk
Robert Hayes – Warden
Carl Young – Ward Clerk
Miles Smith – Warden
Laura Shaw – Ward Clerk
Doreen Jordan – Warden
Stephen Martelli – Ward Clerk

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

IN COUNCIL REGULAR MEETING OCTOBER 17, 2022, VOL. 36 PAGE 304

Mayor Levesque called the meeting to order at 7:02 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda

1. **Order 136-10172022***
Confirming Mayor Levesque's appointment of Tara Paradie as alternate member of the Ethics Panel with a term expiration of 11/1/2025.

2. **Order 137-10172022***
Re-appointing Misty Edgecomb to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

3. **Order 138-10172022***
Re-appointing Haley Warden to the Parks & Recreation Advisory Board with a term expiration of 10/01/2024.

4. **Order 139-10172022***
Re-appointing Ronald Spofford to the Auburn Housing Authority Board of Trustees with a term expiration of 10/01/2027.

5. **Order 140-10172022***
Appointing Wesley Mech to the Complete Streets Committee with a term expiration of 01/01/2025.

6. **Order 141-10172022***
Confirming the Mayor's appointments to the Ad Hoc Committee to develop permit ready housing.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Councilor Whiting requested that item #1, Order 136-10172022 be moved from the consent agenda and under new business.

Passage of the remaining 5 consent items, 7-0.

II. Minutes – October 3, 2022 Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Milks to approve the minutes of the October 3, 2022 Regular Council meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Assessor's Report (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

Councilor Staples reported that he has heard from a constituent that received their absentee ballot and was confused about the proposed charter changes.

Councilor Walker reported that the United New Auburn Association will be holding a meeting on Tuesday, October 25th at 6:00 pm to discuss the Halloween event, he invited the public to attend. The Neighborhood Watch Group will be meeting on October 27th at the Sixth Street Congregational Church, the United New Auburn Association will be holding a bean dinner on October 29th, October 30th is the Halloween event from 1:00-3:00 pm at Anniversary Park, and the Age Friendly Committee will be holding a Thanksgiving dinner on November 24th.

City Manager Crowell reported that the Council Retreat date is November 14th from 5:00 pm to 8:30 pm, location to be determined. He talked about the Election Hub that is on our website. LATC voted to waive the bus fees on election day.

He reported on communications – we are pushing out crime stats, planning and permitting is pushing out information, and data is being shared consistently.

Mayor Levesque addressed the nationwide housing crisis which is impacting our community. He wanted the public to know that we are working on this, and city staff has put together a proposal on short term housing. We are working with our partners collaboratively to take action with a goal to roll this out by January 2023.

IV. Open Session

Pam Rousseau, 745 West Auburn Road, thanked Councilor Staples for his suggestion on providing information on the local ballot questions, she commented on the watershed and asked how much land can be cleared, it doesn't make sense to her to allow bed and breakfasts, and she would like it to be more restrictive. She mentioned that she attended the planning board meeting where they discussed getting rid of the income requirement for the AG zone with no safeguards, we have to think about PFAS/forever chemicals and she asked that the Council be very mindful.

Maureen O'Brien, 42 Winter Street commented on statements she said were made by the Mayer that were published in the newspaper on Sunday regarding families moving into neighborhoods.

V. Unfinished Business

1. Ordinance 22-10032022

Amending Chapter 14, Sec. 14-49, Exemptions from license requirement or fees. of the City Code. Second reading.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

2. **Ordinance 23-10032022**
Adopting the Street Tree Sustainability Ordinance. Second reading.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

VI. New Business

Order 136-10172022*
Confirming Mayor Levesque's appointment of Tara Paradie as alternate member of the Ethics Panel with a term expiration of 11/1/2025.

This item was taken from the Consent Agenda.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Passage 7-0.

1. **Order 142-10172022**
Allocating $200,000.00 ARPA funding for the Sustainable Auburn Match Program.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public comment - No one from the public spoke.

Passage 7-0.

2. **Order 143-10172022**
Authorizing the marketing of city owned property located at 1865 Hotel Road, parcel ID 187-005.

Motion was made by Councilor Staples and seconded by Councilor Milks for passage.

Public comment - No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

3. **Order 144-10172022**
Authorizing the marketing of city owned property located at 145 Eastman Lane, parcel ID 079-004.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Public comment - No one from the public spoke.

Passage 6-1 (Councilor Gerry opposed).

VII. Open Session – No one from the public spoke.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported on the School Committee meeting.

Councilor Staples provided an update on the LATC meeting, and he reminded everyone that there will be free bus trips on election day. He noted that the Conservation Committee will be meeting tomorrow night and Complete Streets Committee will be meeting on Wednesday of this week. There is also a presentation on Wednesday for the T-4.2B.

Councilor Walker spoke about the potatoes that are being given to senior citizens at no cost. Anyone in need can go to the Senior Center on Wednesday to pick up a 5 pound bag.

Councilor Milks announced that the Water and Sewer District meetings are scheduled for this week at 4:00 pm on Tuesday (Sewer) and Wednesday (Water) of this week.

Councilor Whiting reported that the Auburn Nordic Ski Association will be working on Saturday, October 29th to trim the ski trails.

Jill Eastman, Finance Director – September Finance Report

Motion was made by Councilor Morin and seconded by Councilor Whiting to accept and place on file the September Final Finance Report.

Passage 7-0.

X. Executive Session – None.

XI. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 7:56 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

OFFICE OF THE MAYOR | CITY OF AUBURN, MAINE

PROCLAMATION | **EXTRA MILE DAY**

WHEREAS, the City of Auburn, Maine sees the real and lasting benefits when its citizens "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, Auburn is a community which encourages its citizens to give of themselves wholeheartedly and with total effort, commitment, and conviction to their family, friends, causes, and community; and

WHEREAS, Auburn is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" to make a difference and lift others up;

NOW THEREFORE, I Jason Levesque, Mayor of the City of Auburn, do hereby proclaim November 7, 2022, to be Extra Mile Day. I urge everyone in our community to take time on this day - and in the days and weeks to come - to not only "go the extra mile" in his or her own life, but to also acknowledge those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn, Maine to be fixed this 7th day of November 2022

Mayor Jason Levesque

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Accessory Dwelling Unit Development (ADUD) Program

Information:
The City of Auburn received confirmation from the Maine State Housing Authority (MSHA) of an award of $250,000 from their Community Solutions Grant Program to match the cities funding to implement a new housing initiative designed to help residents overcome the financial barrier of creating new rental units. This forgivable loan program is designed to rapidly enhance the creation of privately built secondary or accessory dwelling unit (ADU) housing where appropriate zoning and municipal infrastructure is accessible.

City Budgetary Impacts:
None

Staff Recommended Action:
n/a

Previous Meetings and History:
8/1/2022 The mayor presented an overview for staff to work from.
9/6/2022 Council approved program guidelines.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments:
MSHA Approval Letter
Accessory Dwelling Unit Development (ADUD) Program Summary

MaineHousing
MAINE STATE HOUSING AUTHORITY

October 27 2022

Mr. Glen E. Holmes
Director of Business & Community Development
City of Auburn
60 Court Street
Auburn, ME 04210

RE: City of Auburn 2022 Community Solutions Grant Application

Dear Mr. Holmes:

Thank you for submitting an application to MaineHousing's 2022 Community Solutions Grant.

After review of your application, I am happy to inform you that MaineHousing is making available to the City of Auburn $250,000 requested from the Community Solutions Grant to support Auburn's Accessory Dwelling Unit Development (ADUD) Program.

Regarding next steps, a grant agreement needs to be drafted and signed. To begin the process please contact:

Ashley Janotta
Counsel
207.624.5728
ajanotta@mainehousing.org

Again, congratulations and we look forward to working with the City of Auburn on this project.

Sincerely,

Daniel E. Brennan
Director

City of Auburn, Maine
Business & Community Development
Glen Holmes, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

October 25, 2022

Accessory Dwelling Unit Development (ADUD) Program

The office of Business & Community Development believes the construction of new rental units is essential in meeting the needs of current and future Auburn residents alike. We also believe that residents who rely on affordable housing services, such as housing choice vouchers (HCV) or affordable unit development, deserve a choice on where they live and which school their children attend. Each neighborhood in this city has a distinct style and value, as does each resident. Allowing all families, regardless of income, the freedom to choose their home and what environment in which to raise their children is an essential right. To this end, the city is embracing development models which increase housing choice for residents who rely on affordable housing while simultaneously leveraging private capital to meet the modern demand of a rapidly evolving housing market.

The City of Auburn is seeking funds from the Maine State Housing Authority (MSHA) Community Solutions Grant to implement a new housing initiative designed to help residents overcome the financial barrier of creating new rental units on their property. This forgivable loan program is designed to rapidly enhance the creation of privately built secondary or accessory dwelling unit (ADU) housing where appropriate zoning and municipal infrastructure is accessible.

Goal: The program goal is to create 15 new housing units over 2 years by incentivizing infill and locally owned rental unit construction. These units are less costly to construct for state and local government and allows for more rapid creation of units by leveraging local contractors, private capital and municipal infrastructure. These initial units will further the intent of LD 2003 and serve as a catalyst for further private construction city-wide.

Target audience: Individuals with the desire to build small (less than <800 sq/foot) attached or detached accessory dwelling units for rent. This program has the added benefit of decentralizing the ownership and development of affordable housing while providing sustainable, residual income for Auburn property owners. This program will be available for owner-occupied properties where public water and sewer are availible. Property owners will income qualify at or below 120% of the Area Median Income (AMI).

Local Needs Assessment: Auburn Housing Authority provided data on the Housing Choice Voucher centralized waitlist. This data quantifies 454 current applicants. 411 applicants currently

qualify under 60% AMI with 121 applicants residing in "temporary residences", 26 being housed in a shelter or hotel and 33 reporting that they are currently "living in a place not normally used for housing." Lastly, 57 of the current waitlist applicants are households of 3 or more.

Additionally, SafeVoices, a domestic violence shelter received a total of 325 local shelter requests in the previous year but were only able to house 83 individuals. This leaves an unmet need of 242 families which were under-served by their current capacity and ability to rapidly re-house domestic abuse victims within the city through a combined effort of the city security deposit assistance and SafeVoices resources. The creation of 15 new units supported in part by the city's security deposit program will help to address this shortage and re-house low-income and at-risk residents.

Affordable Housing Development: Units enrolled in this program will be newly constructed after program launch date and will be rented to low-income tenants (qualified under 80% AMI) for a period of 5 years. Additionally, rent for enrolled units will not exceed the lower of HUD's published Fair Market Rent (FMR), or 30% of tenant monthly income (including utilities) for a period of 5 years. The city of Auburn will monitor compliance during this affordability period and re-qualify any new tenants if there is turn-over in the unit.

Financial components: This program will provide a forgivable loan up to 15% of actual construction costs of a property which adds a new accessory dwelling unit. This construction will be verified by the Business & Community Development Department, Assessing & Code Enforcement. All work must take place after an approved and separate scope of work and budget. A closing for a forgivable loan will be executed and approved funds will be held in a city managed escrow account. Contractors will be paid pari passu to matching funds and other programs funds which may be included. All projects will be properly permitted and approved by the city Code Enforcement Office and must receive an occupancy permit within 6 months.

Occupancy: The city will manage applications and monitor occupancy of assisted units through its Security Deposit application process for 5 years. Tenants applying for Security Deposit grants must provide income verification documents and be approved by the Director of Business & Community Development per the current program guidelines. The tenant and landlord will execute a lease that conforms to HUD guidelines.

Timeline: The city expects to secure matching funds by November 1st. Contingent upon receipt of MSHA Community Solutions Grant, this program will be launched and begin taking applications by December 1st, 2022. Expectations are that construction will begin summer of 2023 with the first units being occupied by late fall 2023. The program will continue until all funds are disbursed. Monitoring and reporting will continue for 5 years after the final unit is occupied.

Proposed Budget: This program will employ $225,000 of city ARPA funds, $25,000 of HOME funds, $25,000 in city funded staff hours and $250,000 MSHA Community Solutions grant. Additionally, private leveraged funds are estimated at $2.5 million.

As indicated in the Sources & Uses table below, the city intends to match MSHA funds with ARPA funds to capitalize the forgivable loan pool. In-kind matching funds will be provided by the city's CDBG & HOME allocations to facilitate and monitor these units for the duration of the 5-year affordability period. Additional HOME funds will be utilized to provide security deposits to qualified tenants. Upon vacancy, these funds, unless used by the landlord to repair the unit, will be turned over to the qualified tenant.

Sources and Uses	PY2022
Sources	Budget
-	-
Total Sources=	$525,000
Community Solutions Grant Loan Pool Funds (CSG)	$250,000
Auburn Matching Loan Pool Funds (ARPA)	$200,000
Auburn Admin (ARPA)	$25,000
Program Delivery (Entitlement)	$25,000
HOME Funded Security Deposits	$25,000
Total Uses=	$525,000
Program Administration (5 years)	$25,000
Anticipated New Units	15
Max expense per unit	$33,333
Per Unit Averages	
Forgivable Loan	$30,000
City staff (App, Inspections & Monitoring)	$1,667
HOME Funded Security Deposit	$1,667
Average unit development cost	$200,000
Private Funds Leveraged=	$2,550,000.00

Accessory Dwelling Unit Development (ADUD) Program Guidelines

A. PROGRAM GOAL

The goal of the **Accessory Dwelling Unit Development (ADUD) Program** is to create new housing units by incentivizing infill and locally owned rental unit construction. These units are less costly to construct for state and local government and allows for more rapid creation of units by leveraging local contractors, private capital, and municipal infrastructure. This program is funded by American Rescue Plan Act (ARPA) as well as the Maine State Housing Authority (MSHA) Community Solutions Grant and is subject to all requirements set forth by the funders as well as the Community Development Program rules herein. This program utilizes income standards and Fair Market Rent (FMR) as published annually by the U.S. Department of Housing & Urban Development (HUD).

B. ELIGIBILITY CRITERIA

1. The property must be an owner-occupied, year-round residential property.
2. Property owners must qualify at or below 120% of the Area Median Income (AMI) based on the current year limits as established by HUD.
3. Owners must not be delinquent on any taxes or utilities.
4. Funds must be used to construct a new secondary or accessory dwelling on the property.
    a. Unit of no more than 800sq.ft.
    b. Unit must be newly constructed or create a net increase of livable space by converting previously non-occupied space.
    c. Unit must be completed within 6 months of agreement.
    d. Unit will be rented to income-qualified tenants (under 80% AMI for the current year as published by HUD) for a period of 5 years.
    e. Rental unit will not exceed the lower of HUD's published Fair Market Rent (FMR), or 30% of tenant monthly income (including utilities) for a period of 5 years.

C. ASSISTANCE CATEGORIES AND TERMS

Loan Terms

1.) Maximum loan assistance is the lesser of $30,000 or 15% of actual construction costs.
    a) Fully amortized loan @ 2% APR for 1-year, deferred payments.

b) IF all conditions of the agreement are met this loan will be converted to a grant on the 5th anniversary of the rental unit's first occupancy.

2.) If the property is sold or transferred prior to the end of the affordability period, the principal balance of the loan(s) and any accrued interest or fees shall be immediately repaid.

Funding

All work must take place after an approved and separate scope of work and budget. A closing for a forgivable loan will be executed and approved funds will be held in a city managed escrow account. Contractors will be paid pari passu to matching private funds and other programs funds included within the approved budget and scope of work.

D. NATIONAL OBJECTIVES

Projects will be eligible under the American Rescue Plan Act (ARPA) as well as the Maine State Housing Authority (MSHA) Community Solutions Grant. The allocation of loan pool funds will be monitored and adhere to the current and future requirements set forth by these funding sources.

Income Qualification: Applicants will be required to provide source income if they are the occupant or tenant certifications of income. Applicants will be required to sign a Rent Regulatory Agreement to assure 5-year occupancy after project completion by a qualified tenant.

Affordable Housing: Renters will utilize the Tenant-Based Rental Assistance (TBRA) Security Deposit Program. This objective will meet income qualifications as well as lease terms as established by HUD.

E. PROGRAM QUALIFICATION ASSESMENT

The Community Development Office has responsibility for administration of the **Accessory Dwelling Unit Development (ADUD) Program**. Community Development verifies source documentation in accordance with program guidelines and presents the loan request to the Program Director for approval based on achieving the national objective in part D above and part G below.

F. PRIVATE FUNDS

Private Funds: When matching funds are required, the applicant will have the option of using cash or borrowed funds. Disbursement of funds will be Pari Passu to matching funds on a per-invoice basis. Verification of private fund payments will accompany each disbursement request.

G. LOAN CONSIDERATIONS

In approving or denying loan requests, the Community Development staff shall be guided by the following loan considerations:

1.) Underwriting

a) Construction costs reasonable and arms-length.
b) Credit - credit history and reputation.
c) Payment of taxes or acceptable arrangements.
d) Collateral - Collateral coverage must be adequate as determined by the Community Development Staff.
e) Security - other assets.
f) Commitment of matching funds.

2.) Assessment Private/Public Benefit

The Community Development staff will also consider the broader implications of private and public benefits.

H. NON-DISCRIMINATION

Administration of this program shall be in accordance with Title VI of the Civil Rights Act of 1964. No person shall, on the ground of race, color, national origin, be excluded from participation in, be denied the benefits of, or subjected to discrimination under this program.

I. APPLICATION PRIORITY

Applications shall be processed on a first-come, first-served basis. Community Development staff shall use the receipt date of a complete application (including all required source documentations) to establish the order of priority. The applicant will be notified if there is funding available to proceed with the project, if there is inadequate funding then the application may be placed on a waiting list.

J. AFFORDABLE RENT STANDARDS

a. Rental units that are improved with Community Development funds shall be available and affordable to households qualified at or below 80% AMI.
b. The applicant will be required to furnish rental information to enable Community Development staff to evaluate the impact of the project on rent levels. The applicant will submit the current amount of rental charges for all units in the housing project, utility types, who pays the utilities, and the names of tenants.
c. A rent cap shall apply to assisted units. The maximum allowable rent shall be based on the lower of 30% the qualified tenant's income or Fair Market Rent (FMR) established by HUD and equal to the amount of rent and utility costs being paid by the tenant and reviewed annually.

d. The period of affordability shall be for five years after the date of initial occupancy by a qualified renter.
e. The borrower will sign a Rent Agreement stipulating rent limitations at loan closing.

K. DEFINITIONS

a. **Fair Market Rent**
An annually published rent level prescribed by the U.S. Office of Housing and Urban Development based on a specified number of bedrooms.

b. Household Income

i. For the purpose of determining eligibility, Community Development staff will calculate income by estimating the annual income of a family or household by projecting the prevailing rate of income of each person at the time assistance is requested based on the IRS Form 1040 method as defined by the Office of Housing and Urban Development.

ii. Income of all members of the household over the age of 18 years is considered for computing income. This may include wages, salaries, overtime, bonuses, fees, tips, commissions, interest and dividend income, self-employment income, net rental income, income from estates or trusts, child support, alimony, Social Security benefits, SSI retirement, survivor or disability pension, VA payments, pension, or annuity, Temporary Aid to Needy Families, unemployment benefits, worker's compensation, and disability or benefits from any source.

iii. For computing income, a household shall be defined as all persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together or any other group of related or unrelated persons who share living arrangements.

c. **Owner-Occupied**
An applicant who holds the entire ownership interest of a property and lives in one unit of the property as a primary residence.

d. **Construction Costs**
The total of contractor estimates from the lowest eligible contractors, and the contingency determined to be reasonable by the Community Development Staff.

e. **Residential Property**
A property used entirely for residential purposes (household living space).

f. Income Limits

To qualify applicants for various loans under the **Accessory Dwelling Unit Development (ADUD) Program**, Community Development staff will use income limits for Lewiston-Auburn SMSA established by the Office of Housing and Urban Development. Revised charts will be used upon receipt.

Sustainability & Natural Resources Management Board

Minutes: Oct 13, 2022 Approved:

Attending:

Community Forest Working Group:	Dave Griswold
Conservation Working Group:	Jane Costlow
Natural Products & Agriculture Working Group:	Bill Sylvester
Sustainability Working Group:	Ralph Harder
Mayor's Representative:	Councilor Leroy Walker
Planning Board Representative:	Evan Cyr
Staff:	City Manager Crowell

Guests: Kathy Shaw, Katherine Cook, Maurice Keene

Recorder: Dave Griswold

Call to Order: 6:03

1. **Public Participation:** The question of whether to add an opportunity for public participation to future agendas was raised. A motion was passed 6-0 to have the chair develop a protocol before the January meeting.
2. **Approval of Minutes:** July 14, 2022 minutes were approved with minor adjustments, 4-0
3. **Working with Staff:** Mgr Crowell provided a handout outlining staff support for the working groups. Community Forest: Noel Skelton, staff; Director Denis D'Auteuil; Conservation: Staff vacant; Director Eric Cousins; Natural Products and Agriculture: Staff vacant; Director Eric Cousins; Sustainability: Staff Derek Boulanger; Director Dan Goyette; SNRB: Mgr Crowell
    a. Mgr Crowell reported that the City is working with the School Department to assign staff to a position focused on sustainability. SNRB will have an opportunity to have input on a position description.
4. **Council Resolve 06-09062022**
    a. Evan reviewed discussion about the resolve at the Planning Board meeting 10 11.

i. History of the income requirement and strip zones
ii. LD 2003 rulemaking process
iii. PB views income requirement and strip zones as separate questions.
iv. Looking for pros and cons of both questions from SNRB by 1 4 23, in order to allow for PB to discuss at three meetings and develop response by 3 20 23. Resolve does not include a zoning change proposal, so if the Council decides to make changes, each will be referred back to the PB for a proposal.

b. Strip zones are controversial. Are there better alternatives?
c. Any change will need to be viewed through the lens of the Comprehensive Plan and Strategic Plan
d. Response to Council could be "no change" or "change recommended with qualifications.
e. Discussion of degree and method of public input to process.
f. Agreed it would be helpful for Eric Cousins to review strip zone history and issues.
g. Discussion of how SNRB process should be organized. Jane, Bill, Ralph and Dave will serve as an ad hoc committee of SNRB to refine the process and develop recommendations to bring back to the full SNRB.

5. **Staffing and Funding:** Ralph pointed out that there are details of staffing and funding of Working Groups that need further discussion. He said the model employed for the previous recycling group was a good one.
6. **Climate Action Grants:** The state has grants available for municipalities to use to address climate change. Phil will provide information about how Auburn can qualify to apply. Documents will be posted on the SNRB page.
7. Adjourn: 7:46

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Ordinance:** 20-09062022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

Information: The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth. The change creates a new district that carries the urban form of walkable, desirable existing neighborhoods to expanded land area where existing zoning has forced development to meet more suburban standards and limited housing production. The area proposed is limited to land where public water and sewer are available or reasonably available nearby. The proposed changes allow for infill development, creation of new housing units in existing buildings, new development of housing on vacant land and limited neighborhood scale commercial uses.

This proposal has been recommended to Council by Planning Board at the September 13, 2022, public hearing. Second reading with the Council was postponed at the September 19, 2022, meeting allowing for additional public information sessions hosted by staff. The second reading is now scheduled for the November 7, 2022, Council Meeting. Both the City Council and Planning Board have created this new district based on feedback from the public while considering the application of the existing T-4.2 district to the same area. In response to public feedback the new district was created to recognize differences between existing T-4.2 districts and the proposed T-4.2B area. Most notable are setback allowances that are flexible to match existing development patterns, the size limitations on commercial uses, a requirement for a residence on the same lot as a commercial use and the additional Special Exception review and Planning Board public process required for considering most commercial uses.

City Budgetary Impacts: N/A

Staff Recommended Action: Hold a Public Hearing and vote to pass second reading of the proposed text and map amendment.

Previous Meetings and History: See Staff Report attached. A public hearing and passage of first reading was on 9/6/2022. Staff also hosted two informational community forums online October 19 and in-person October 25.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Proposed Official Zoning Map dated 7/6/2022, proposed text of the new Traditional Neighborhood District Form Based CodeT-4.2B zoning district, Planning Board Staff Report.

JENSEN BAIRD
ATTORNEYS AT LAW

M E M O R A N D U M

TO: Evan Cyr, Planning Board Chair

CC: Eric Cousens, Director of Planning and Permitting

FROM: Sally J. Daggett, Esq.

RE: Planning Board Public Hearing Process re Zoning Ordinance Amendments

DATE: September 8, 2022

I am writing in response to your inquiry regarding the Planning Board public hearing process related to Zoning Ordinance amendments. Specifically, you have inquired whether it is legally permissible for the City Council to conduct its first reading on proposed Zoning Ordinance amendments in advance of the required Planning Board public hearing. The short answer is yes.

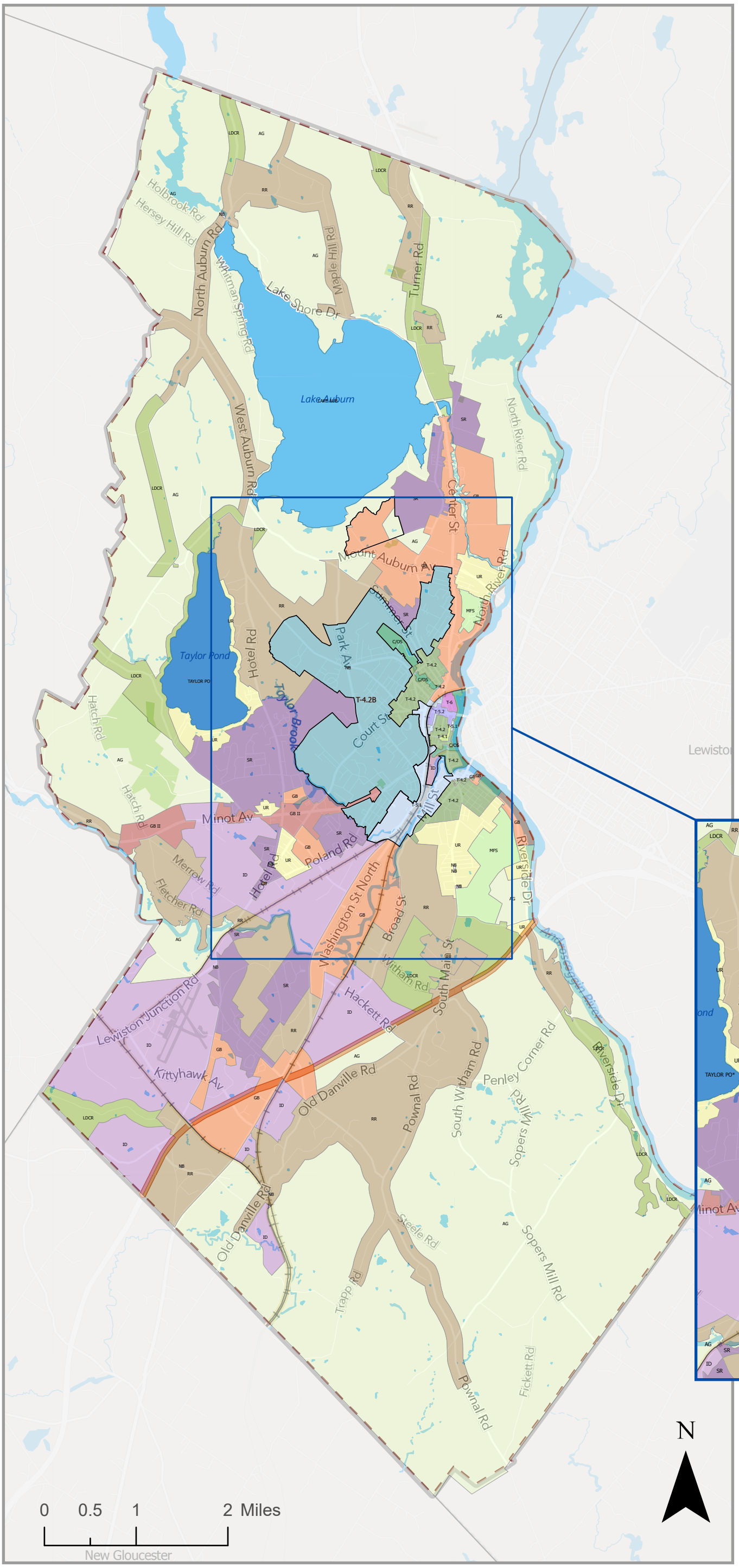
State statute requires that the Planning Board conduct a public hearing on the adoption or amendment of the Zoning Ordinance, with certain notices provided in advance of the public hearing, including a public hearing notice posted at City Hall at least 13 days before the public hearing and publication of notice of the public hearing in a newspaper of general circulation at least 12 days and again at least 7 days in advance of the public hearing. 30-A M.R.S. § 4351(9). Section 60-1474 of the City's Zoning Ordinance contains similar notice provisions (and adds a local requirement of notice to abutters in Sec. 60-1475). Under Sec. 60-1496 of the Zoning Ordinance, the Planning Board must "within 30 days of the conclusion of the [Planning Board] public hearing, report in writing the results of the hearing and recommendations of the board on the amendment to the city council."

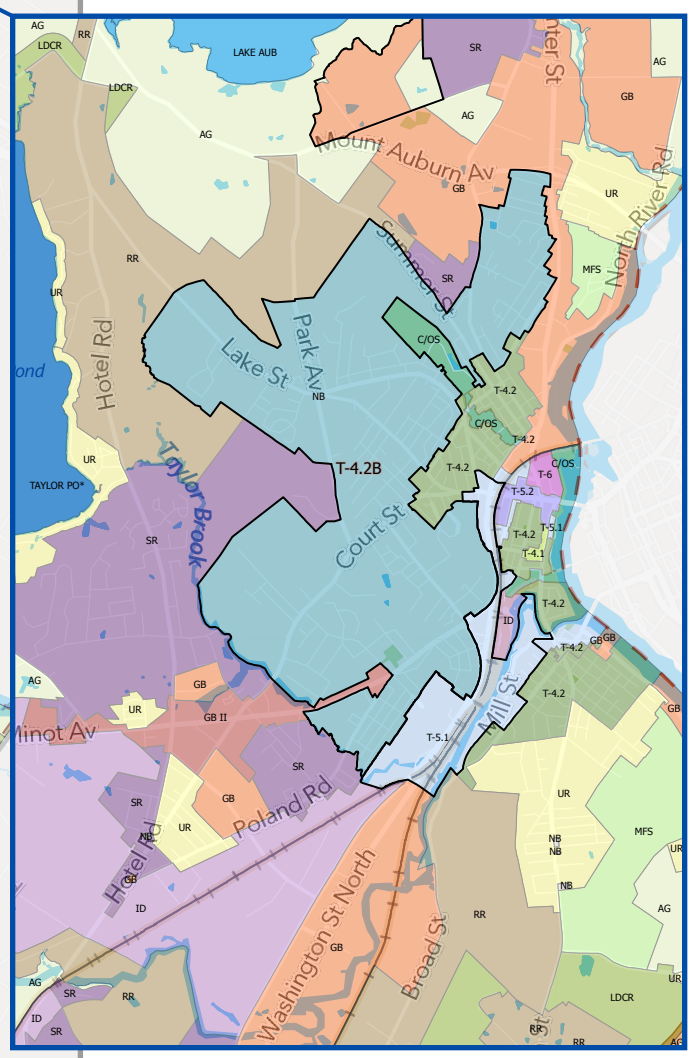
There is nothing in State statute, the City Charter or the Zoning Ordinance that dictates the timing of the Planning Board public hearing in relationship to the City Council's first reading of proposed Zoning Ordinance amendments. Some municipalities with the Council-Manager form of government prefer to conduct Council first reading before the Planning Board public hearing to enable Council input on the version of the amendments that will be considered and reported on by the Planning Board. Other municipalities with the Council-Manager form of government prefer to have the Planning Board conduct its public hearing before Council first reading. In some municipalities, the timing of the Planning Board public hearing in relationship to the City Council's first reading of proposed Zoning Ordinance amendments varies from time

to time (*i.e.*, sometimes before first reading and sometimes after first reading) depending on the complexity of the subject matter of the amendments.

As relates to the proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B District, it is my understanding that the Planning Board specially requested at its June 21, 2022 meeting that its recommendation on the T-4.2B amendments be delayed until after the City Council determined what version of the amendments the Council wanted to bring forward for final action. Such an approach whereby the City Council conducts its first reading in advance of the Planning Board public hearing is legally permissible under State and local law.

Proposed Official Zoning Map





Legend

- AG - Agriculture and Resource Protection
- C/OS - Conservation / Open Space
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LAKE AUB
- LDCR - Low Density Country Residential
- LAKE AUB
- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- TAYLOR PO*
- UR - Urban Residential
- Proposed T-4.2B

This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zoning Text and Map Amendment Public Hearing
Date: August 30, 2022

PROPOSAL: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth.

STAFF RECOMMENDATIONS

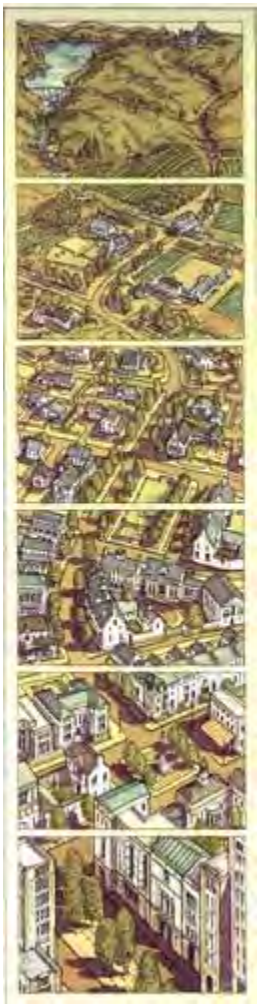
Hold a public hearing on creation of new Form-Based Code zoning district, T-4.2B and the application of the same new zone, T-4.2B to the Court Street area. The Board should review these as a single agenda item and forward a recommendation to Council.

Previous meetings concerning the creation of application of T-4.2B:

- August 17, 2021, city council meeting: increased housing and form-based code
- December 21, 2020, city council meeting T-4.2 Downtown Enterprise District
- December 17, 2020, - June 16, 2021, comprehensive plan meetings
- March 1, 2021, city council meeting T-4.2 Court/Lake Street and Lake Auburn Avenue, Union, Lake, and Whitney Street areas
- April 27, 2021, community conversation: comprehensive plan update
- April 29, 2021, community conversation: comprehensive plan update
- May 4, 2021, community conversation: comprehensive Plan update
- March 31, 2022, community conversation: discuss zoning changes January 3, 2022, city council meeting
- January 11, 2022, planning board meeting Workshop: T-4.2 Court Street
- February 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 21, 2022, city council meeting: T-4.2 Court Street
- March 28, 2022, city council meeting: T-4.2B Court Street planning board directive
- April 14, 2022, planning board meeting workshop: T-4.2B areas A-D

- June 18, 2022, city council meeting- T-4.2B creation
- June 27, 2022, city council meeting- Court Street amendment workshop
- July 12, 2022, community conversation: zoning in Auburn
- July 18, 2022, city council meeting: T-4.2B first reading
- August 1, 2022, city council meeting- T-4.2B Court Street planning board directive and repeal 4.2 Court Street
- August 15, 2022, city council meeting: postpone T-4.2B Court Street
  Update original dates from first approval

[1]FORM-BASED CODE The Form Based Code Institute defines a form-based code as "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."[2]The purpose of implementing form-based code is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. Form-based code regulates the physical form of the built environment using transects, which are the standardized categories that describe the range or continuum of development types; from T-1 Natural Areas to T-6 Urban Core or City Center with an additional category designated for other uses. Form-based code offers an alternative to traditional zoning laws which separate where we live from where we work, learn, shop, play, and gather. By strictly regulating the setbacks and types of housing, units are built further apart resulting in greater reliance on roads. As an alternative, form-based code promotes walkability by reducing the separation between private and public realms of life. Auburn's form-based code proposes five types of form-based code districts, T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6. These districts range from least urban to most urban. T-4.2B is characterized as the Traditional Neighborhood Development District or General Urban Zone.



TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Description- The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks (Sec. 60.549).

[1] "American Transect," Duany Plater-Zyberk & Company / James Wassell
[2] https://formbasedcodes.org/definition/

Objective – Allow for the development of a wide range of residential and community uses at a density of up to what is allowed by the form of the lot with an estimation of 16 units per acre, but not specified because of the variability of the lots form, as specified in the Comprehensive Plan in areas that are served or can be served by public sewer and water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- *Low and High-Density Residential Dwellings*
- *Home Occupations*
- *Plant/Crop-Based Agriculture*
- *Community Services and Government Uses*
- *Small Offices and Mixed-Use Buildings*
- *Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).*

[3]Development Standards – Residential uses should be allowed at a density of the existing form of the lot with no minimum road frontage required, shared driveways are encouraged, the front setback should be 25 feet max with the consideration that no front yard needs to be any less than the average depth of front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the adjacent lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

T-4.2B is a new zone distinct from T-4.1, T-4.2, T-5.1, T-5.2, and T-6. The attached text, Division 14. Form Based Code, shows the text of the T-4.2 B. The document represents the text of proposed new zone, T-4.2 B. The red sections mark the differences between T-4.2 and T-4.2B. The transects in Auburn are ordered from least to most urban. Form allows multifamily housing in this area capped at 3.5 stories with an attic. Parcel size determines form and therefore number of units. The most prominent differences between T-4.2 andT-4.2B is the size and type of businesses that will be permitted. Office, service, and retail uses limited to 1500 sq ft with a residential unit on the same parcel. Age-restricted retail stores (marijuana stores or dispensaries) are not allowed in T-4.2B. Restaurants with over 30 seats will not be permitted nor will drive-through restaurants.

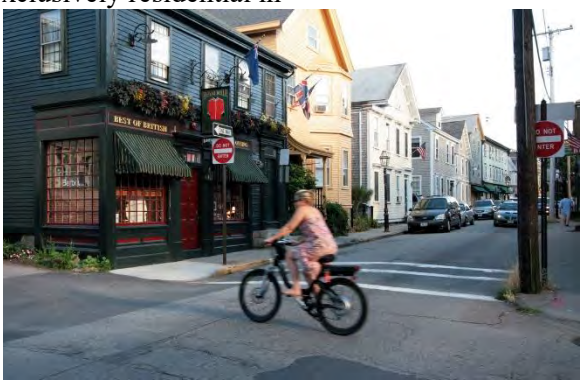
THE PURPOSE BEHIND APPLYING NEW ZONING TO AUBURN'S CITY CORE

1. The proposed zone change will **increase housing opportunity** for more people by lowering barriers to finding housing. Auburn's housing supply is limited and is not increasing fast enough to accommodate both current residents and those who want to call Auburn home. Housing scarcity drives up prices and increasing the supply of housing will lower the cost overtime.

[3] Newport, Rhode Island. Sponsored by Center for Applied Transect Studies, Photographed by Sandy Sorlien

2. [4]The proposed zoning will **allow a wider variety of housing**. Offering choice in housing to residents will allow more residents the freedom to live as they want and not pay more than they can afford. Financial institutions recommend not spending more than 28% of household gross income on housing. Single family homes are outside of the price range and may not meet the lifestyle needs of many people, especially young adults, young families, empty nesters, elderly residents and many in between. The current zoning essentially renders housing that is not single-family or two-family illegal effectively barring those who cannot afford the high price of a single-family home to live with their neighbors. Allowing mixed use housing gives residents of all backgrounds and financial capacities options and promotes community be allowing neighbors to live close to and among each other.

3. [5]Current traditional zoning laws tend to separate where we live from where we work, learn, and shop and force us to center roads over all other aspects of city design. These roads, as they are today, are dangerous to pedestrians and cyclists. We have an over-reliance on cars and Auburn's form-based code is meant to provide an alternative. T-4.2B **encourages walkability** by allowing uses that are not exclusively residential in moderately dense urban environments. There will not be walkability if there is nowhere to walk to. Encouraging infill and small business growth encourages walkability by giving folks spaces to walk to. Suburban sprawl as it exists limits transportation to folks who have a car and assumes that there will be little to no walking. It champions cars and roads over people and centralized communities.



FREQUENTLY ASKED QUESTIONS

How would T-4.2B affect my neighborhood?

Building by form as regulated in T-4.2B will differ based on where you live and the existing neighborhood form. Most city lots are small and already built on, likely limiting additional development to infill housing opportunities and freedom for property owners to add additional units or make improvements to existing homes. The map shows the size of parcels in the urban core area. The map shows that 54.6% of parcels cannot support over four units and 79.4% of parcels cannot support over eight units.

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The larger open areas, five-plus acres in the example, have a form that could support higher development intensity. Of the 571.85 acres on parcels with over five acres in what is proposed to be T-4.2B, only 391.71 acres of the area could be considered for further development (26.6%) because of schools, existing condos, and parks.

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How might new zoning affect the housing crisis?

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T-4.2B will allow uses other than single family including businesses with a residential unit on the same parcel. Businesses shall not be over 1,500 square feet. Drive-through restaurants are not allowed in T-4.2B and cannabis shops are also prohibited- a change from the first T-4.2 zone. There are some businesses that will be prohibited and most will require Special Exception Approval from the planning board depending on the size and type.

ADDITIONAL READING

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The Organization | CNU

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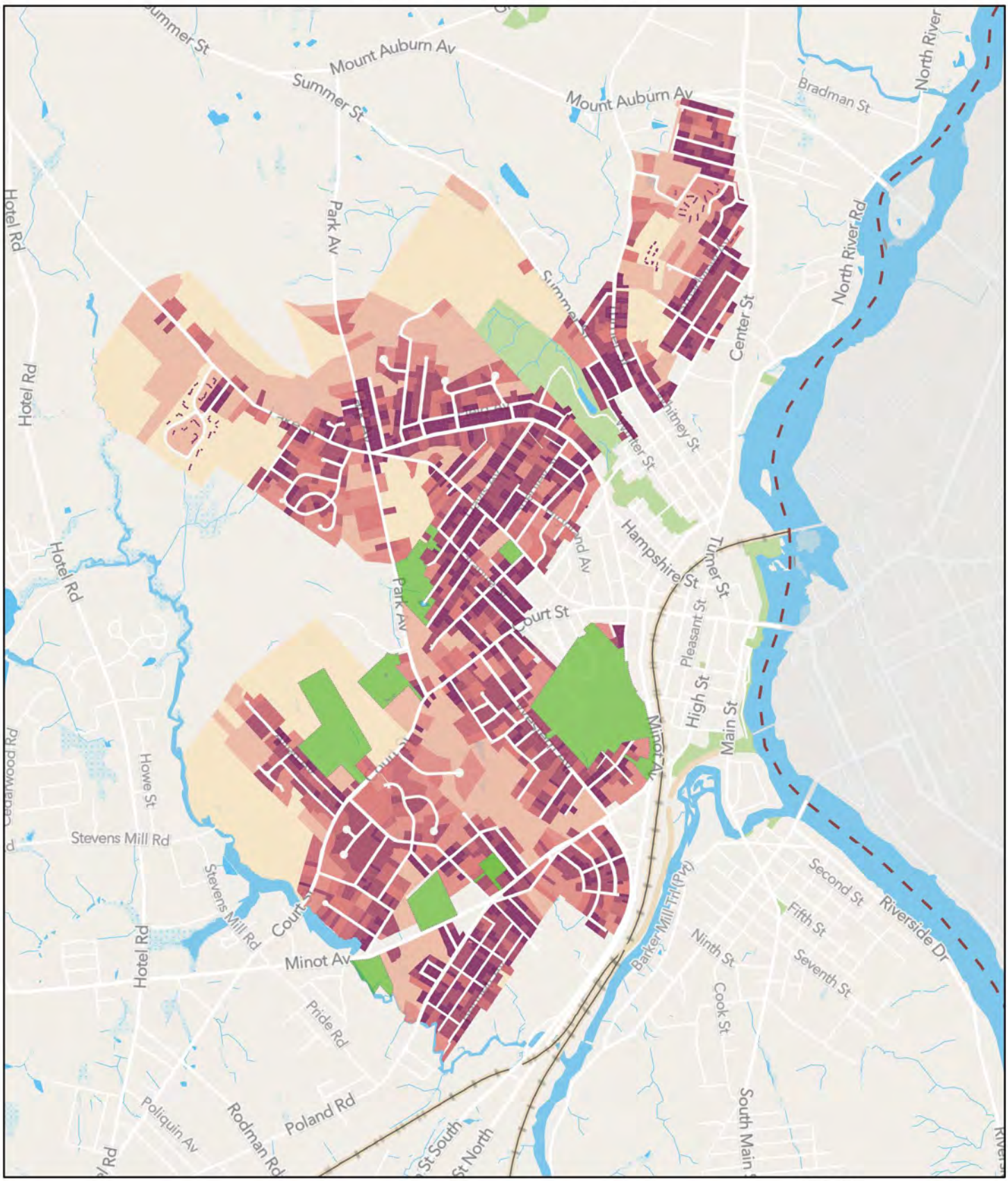
Court St By Acreage



8/15/2022

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0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

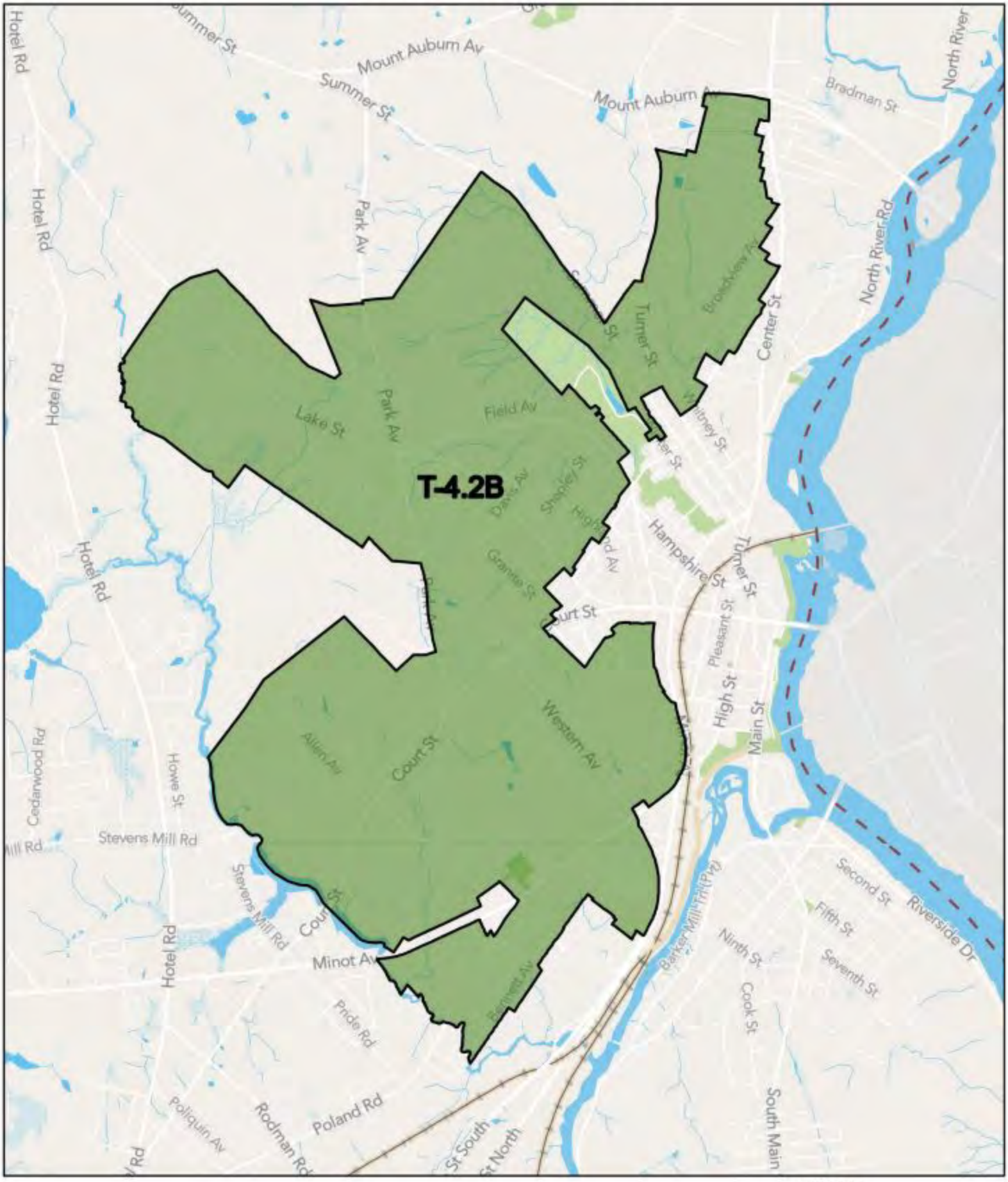
City / Recreation Land

Court St Area

- 0 – 0.25
- > 0.25 – 0.5
- > 0.5 – 0.75
- > 0.75 – 1
- > 1 – 2
- > 2 – 10
- > 10 – 121

Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Court St Area T-4.2B



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LEGAL NOTICE
CITY OF AUBURN

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAP TO CREATE A NEW TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B DISTRICT

Notice is hereby given that the Auburn Planning Board will hold a Public Hearing on **Tuesday, September 13, 2022 at 6:00** p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine to consider proposed amendments to the Zoning Ordinance text and map to create a new Traditional Neighborhood Form Based Code T-4.2B zoning district as follows:

PUBLIC HEARING: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district. The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on a sketch map available in the Planning & Permitting Department. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also available in the Planning & Permitting Department. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update. The map and text showing the proposed changes is available at [illegible] government/planning-board-agendas under the September 13, 2022 Agenda link and in-person at the City of Auburn Planning & Permitting Office, 60 Court Street, Auburn, Maine during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

The Planning Board will, after the close of the public hearing, make a recommendation to the Auburn City Council regarding the proposed amendments. The City Council is expected to conduct First Reading and its own Public Hearing on the proposed amendments on Tuesday, September 6, 2022 at 7:00 p.m. and a Second Reading on Monday, September 19, 2022 at 7 p.m. in the City Council Chambers, 60 Court Street, Auburn, Maine.

Additional information is available and may be obtained from the Auburn Planning & Permitting Department by contacting Katherine Cook at (207) 333-6601 ext. 1155 or [illegible] or John Blais at (207) 333-6601 ext. 1334 or [illegible]

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City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

Motion: Brian Dubois; Second: Stacey Leblanc

Motion that we forward a recommendation to the city council to adopt the zoning text and map amendments to create the traditional neighborhood form-based code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street residential core area of the city within the new zoning district as proposed and presented within the staff report presented at the September 13th 2022 meeting of the planning board.

Motion passes 5-2-0

The Planning Board adopted the findings of the 6staff reports, attached.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zoning Text and Map Amendment Public Hearing
Date: August 30, 2022

PROPOSAL: Zoning Text and Map Amendments to Create the Traditional Neighborhood Form Based Code T-4.2B zoning district and to include 1,687.41 acres of property located in the Court Street/City Residential Core area of the City within the new zoning district.

The property to be rezoned is currently located in the Urban Residence zoning district and is further identified on the Proposed Official Zoning Map dated 7/6/2022. The text of the new Traditional Neighborhood District Form Based Code T-4.2B zoning district is also attached. The purpose of the rezoning is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. These changes are recommended in the 2021 Comprehensive Plan Update that support higher density and growth from the city's core outward that is supported by existing infrastructure and smart economic growth.

STAFF RECOMMENDATIONS

Hold a public hearing on creation of new Form-Based Code zoning district, T-4.2B and the application of the same new zone, T-4.2B to the Court Street area. The Board should review these as a single agenda item and forward a recommendation to Council.

Previous meetings concerning the creation of application of T-4.2B:

- August 17, 2021, city council meeting: increased housing and form-based code
- December 21, 2020, city council meeting T-4.2 Downtown Enterprise District
- December 17, 2020, - June 16, 2021, comprehensive plan meetings
- March 1, 2021, city council meeting T-4.2 Court/Lake Street and Lake Auburn Avenue, Union, Lake, and Whitney Street areas
- April 27, 2021, community conversation: comprehensive plan update
- April 29, 2021, community conversation: comprehensive plan update
- May 4, 2021, community conversation: comprehensive Plan update
- March 31, 2022, community conversation: discuss zoning changes January 3, 2022, city council meeting
- January 11, 2022, planning board meeting Workshop: T-4.2 Court Street
- February 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 8, 2022, planning board meeting Public Hearing: T-4.2 Court Street
- March 21, 2022, city council meeting: T-4.2 Court Street
- March 28, 2022, city council meeting: T-4.2B Court Street planning board directive
- April 14, 2022, planning board meeting workshop: T-4.2B areas A-D

- June 18, 2022, city council meeting- T-4.2B creation
- June 27, 2022, city council meeting- Court Street amendment workshop
- July 12, 2022, community conversation: zoning in Auburn
- July 18, 2022, city council meeting: T-4.2B first reading
- August 1, 2022, city council meeting- T-4.2B Court Street planning board directive and repeal 4.2 Court Street
- August 15, 2022, city council meeting: postpone T-4.2B Court Street
  Update original dates from first approval

[1]FORM-BASED CODE The Form Based Code Institute defines a form-based code as "a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."[2]The purpose of implementing form-based code is to provide equitable access to housing in walkable neighborhoods by allowing residential uses at a density driven by the form, lot size and configuration of the lot with less minimum road frontage required and shared driveways encouraged. Form-based code regulates the physical form of the built environment using transects, which are the standardized categories that describe the range or continuum of development types; from T-1 Natural Areas to T-6 Urban Core or City Center with an additional category designated for other uses. Form-based code offers an alternative to traditional zoning laws which separate where we live from where we work, learn, shop, play, and gather. By strictly regulating the setbacks and types of housing, units are built further apart resulting in greater reliance on roads. As an alternative, form-based code promotes walkability by reducing the separation between private and public realms of life. Auburn's form-based code proposes five types of form-based code districts, T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6. These districts range from least urban to most urban. T-4.2B is characterized as the Traditional Neighborhood Development District or General Urban Zone.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Description- The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment and includes and traditional neighborhood sized storefronts. The smaller minimum

[1] "American Transect," Duany Plater-Zyberk & Company / James Wassell
[2] https://formbasedcodes.org/definition/

and maximum building setbacks form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks (Sec. 60.549).
Objective – Allow for the development of a wide range of residential and community uses at a density of up to what is allowed by the form of the lot with an estimation of 16 units per acre, but not specified because of the variability of the lots form, as specified in the Comprehensive Plan in areas that are served or can be served by public sewer and water (see Figures 2.3, 2.4 and 2.6). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.
Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update. The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- *Low and High-Density Residential Dwellings*
- *Home Occupations*
- *Plant/Crop-Based Agriculture*
- *Community Services and Government Uses*
- *Small Offices and Mixed-Use Buildings*
- *Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).*

[3]Development Standards – Residential uses should be allowed at a density of the existing form of the lot with no minimum road frontage required, shared driveways are encouraged, the front setback should be 25 feet max with the consideration that no front yard needs to be any less than the average depth of front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the adjacent lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).

T-4.2B is a new zone distinct from T-4.1, T-4.2, T-5.1, T-5.2, and T-6. The attached text, Division 14. Form Based Code, shows the text of the T-4.2 B. The document represents the text of proposed new zone, T-4.2 B. The red sections mark the differences between T-4.2 and T-4.2B. The transects in Auburn are ordered from least to most urban. Form allows multifamily housing in this area capped at 3.5 stories with an attic. Parcel size determines form and therefore number of units. The most prominent differences between T-4.2 andT-4.2B is the size and type of businesses that will be permitted. Office, service, and retail uses limited to 1500 sq ft with a residential unit on the same parcel. Age-restricted retail stores (marijuana stores or dispensaries) are not allowed in T-4.2B. Restaurants with over 30 seats will not be permitted nor will drive-through restaurants.

THE PURPOSE BEHIND APPLYING NEW ZONING TO AUBURN'S CITY CORE

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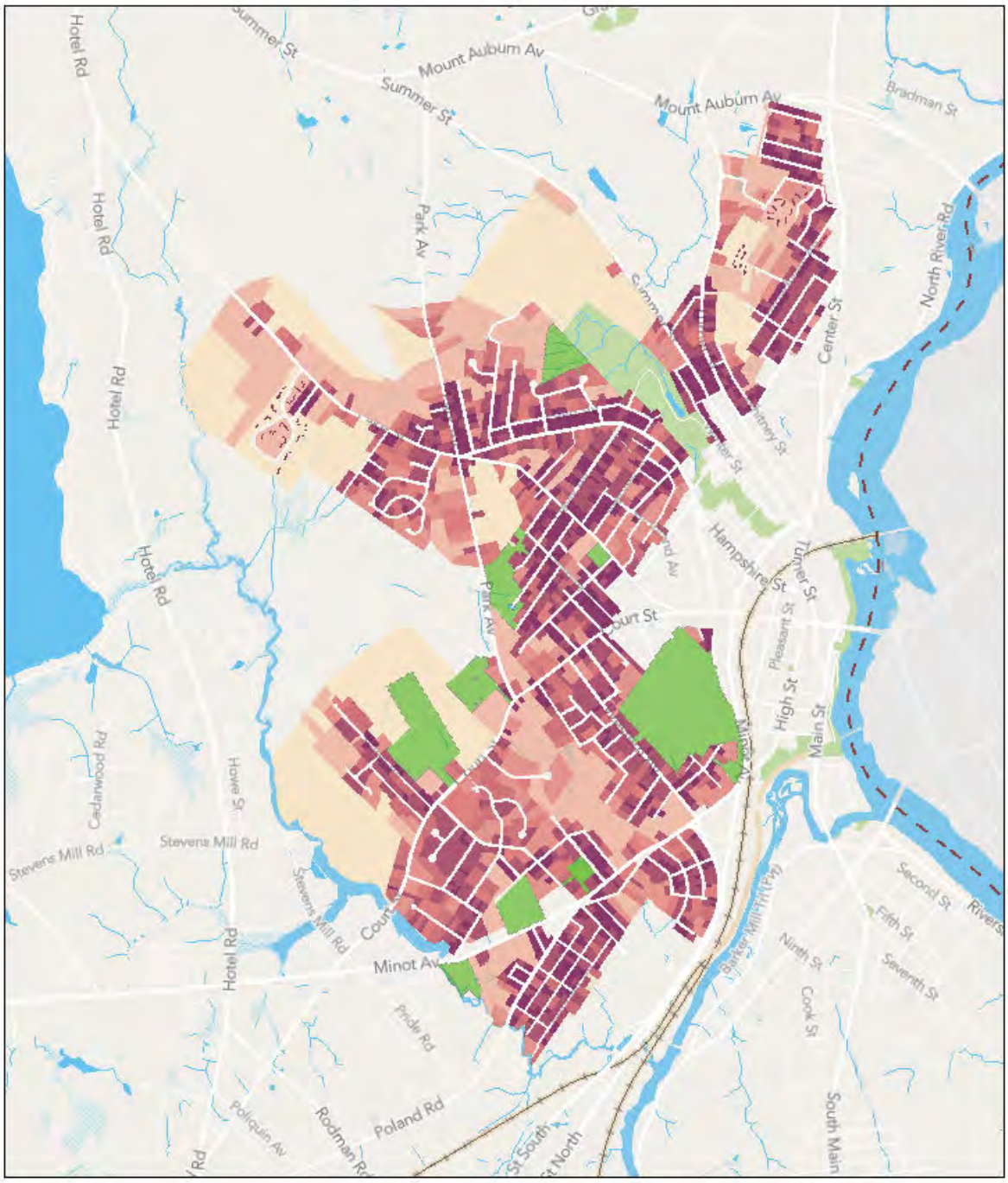
Appendix A

Court St By Acreage



City of Auburn, Maine
Planning Board
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

DRAFT FOR REVIEW AND FINALIZATION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022 the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

"I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception"

Motion: Evan Cyr; Second: Riley Bergeron

"I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more."

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

---

Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval."

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: **PUBLIC HEARING: Zoning Map Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**)

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director
Re: Public Hearing Court Street/Urban Core Area Zoning Considerations from City Council for Zoning Map and Text Amendment.

Date: June 21, 2022

PROPOSAL: **PUBLIC HEARING: Zoning Amendments**: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

New Proposed Form-Based Code Zone: T-4.2B

Council voted on May 16th, 2022, to ask the Planning Board to review the T-4.2 zone known as Court street area and deliver a recommendation for a T-4.2B zone, based on amendments previously put forward by the Council. They include the following:

- All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
- Residential Facilities allowed with special exception approval from the Planning Board.
- Lodging allowed with special exception approval from the Planning Board.
- Personal Services allowed with special exception approval from the Planning Board.
- Age restricted retail not allowed.
- Restaurants with over 30 seats not allowed.
- Government offices allowed with special exception approval from the Planning Board.
- Parking requirements (public or private) may be provided within 500 feet of the establishment.
- Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
- No drive through businesses allowed.
- Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests a planning board discuss the proposals and hold a Public Hearing on June 21, 2022 on the following items. 1.) Staff recommends that the Board forward a positive recommendation to the Council supporting the proposed changes provided by the City Council, to include the adjusted text to create a new Formed Base Code T-4.2B. 2.) Provide a map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) based on the following findings.

SUGGESTED FINDINGS AND REASONS:

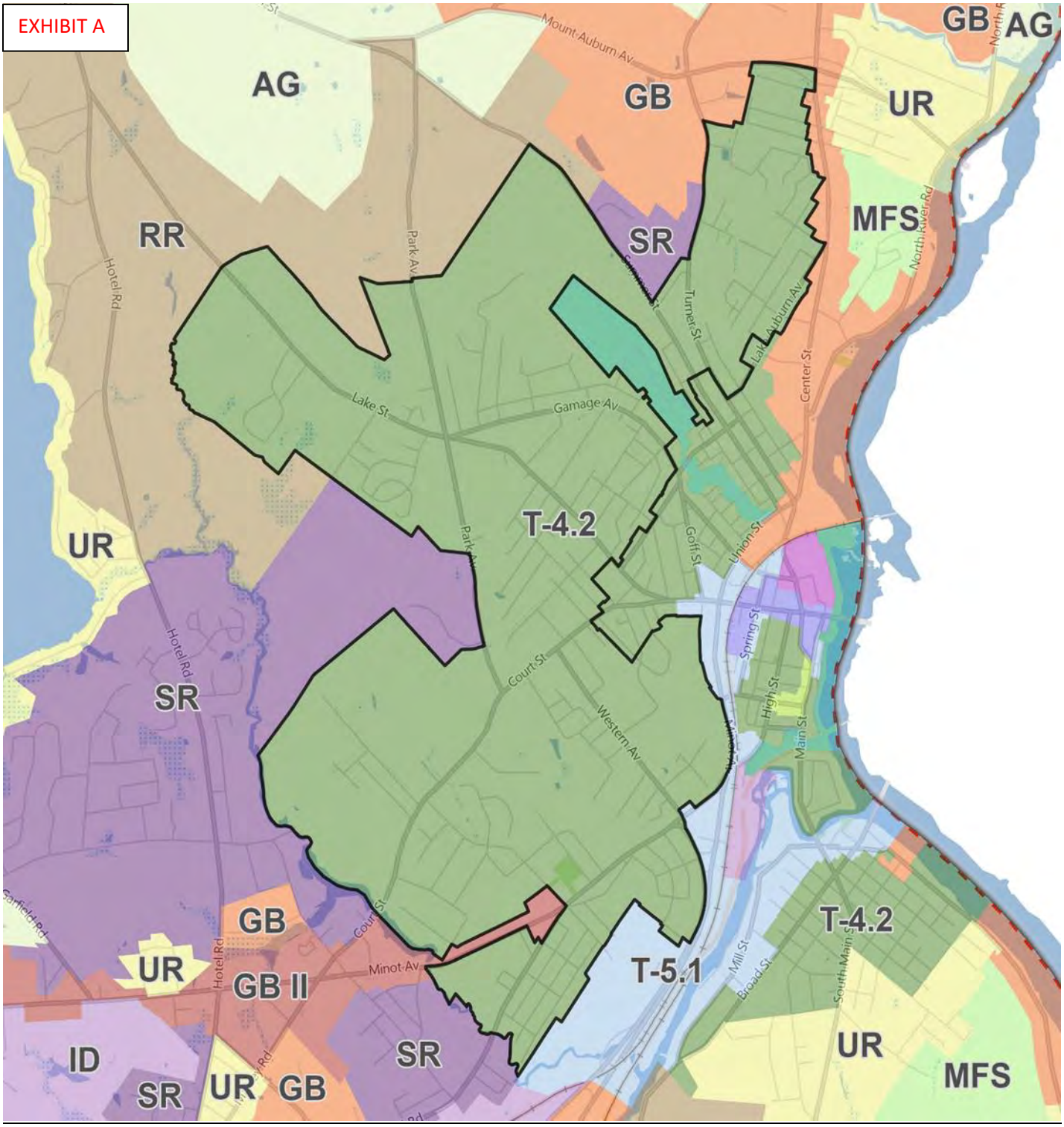
1. The 2010 and now 2020 Comprehensive Plan recommends expanding the Formed Base zoning. This can be accomplished with the creation of a new district by using T-4.2B that conforms to and expands existing development patterns.
2. The distinctions between allowed uses, density and development patterns in the existing T-4.2 areas in place for years and the Court Street/City Core area are significant enough to warrant a new zoning district that can be called T-4.2-B. This will prevent limitation in the urban core where density and mixed use has been allowed by leaving T.4.2 zoning in place in some areas.
3. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (sewer, water, power, high speed internet, gas & roads)
4. The proposal can be implemented without detriment to city resources.
5. Assure that the City's zoning and land use regulations allow for private investments to improve property in these neighborhoods.
6. Maintain and increase the City's population.
7. Limit the need for new roads by encouraging infill development within the identified growth areas in 2020 Comprehensive Plan .
8. FBC allows for 5-foot front and side setbacks in contrast with the current 25 feet. Most buildings in these districts are currently non-conforming because of this standard. Generally, the change recommended will have little impact on the allowed uses in the district.
9. In many of the older, developed areas of the City, the current configuration of space within residential buildings is functionally obsolete. Reconfiguration of the available space is often difficult under the density and lot size requirements of the current zoning ordinance.

II. SUGGESTED MOTION: 1.) I make a motion to recommend to City Council a text amendment suggested by council with creation of a new Formed Based Code Zone T-4.2B.

1. All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2. Residential Facilities allowed with special exception approval from the Planning Board.
3. Lodging allowed with special exception approval from the Planning Board.
4. Personal Services allowed with special exception approval from the Planning Board.
5. Age restricted retail not allowed.
6. Restaurants with over 30 seats not allowed.
7. Government offices allowed with special exception approval from the Planning Board.
8. Parking requirements (public or private) may be provided within 500 feet of the establishment.
9. Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
10. No drive through businesses allowed.
11. Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

2.) I make a motion of the proposed map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) boundary and be adjusted from T-4.2 to T-4.2B the total amendment includes 1,687.41 acres shown on the map as Exhibit A.

The green area below highlighted in black is 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed is text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code from T-4.2 to T-4.2B. Roads include parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.



ORDINANCE 20-09062022

T-4.2B ZONING ORDINANCE TEXT AND MAP AMENDMENTS
Council First Reading & Public Hearing 9/6/22
Planning Board Public Hearing 9/13/22

Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE

BE IT ORDAINED, that the City Council hereby approves the amendment of the text and map of Chapter 60, Zoning, of the Code of Ordinances as follows:

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1. Amend Sec. 60-547 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (additions underlined and in red):

Subdivision I. In General

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Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, Transect 4.2B, Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

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2. Amend ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, to add a new Secs. 60-548B, 60-548B.1, 60-548B.2 and 60-548B.3 as follows (text additions in red text and includes images and photographs):

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)

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Richard Whiting, Ward One
Ryan Hawes, Ward Two
Stephen G. Milks, Ward Three
Joseph Morin, Ward Four
Leroy G. Walker, Ward Five
Dana Staples, At Large
Belinda A. Gerry, At Large
Jason J. Levesque, Mayor
Phillip L. Crowell, Jr., City Manager

Sec. 60-548B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

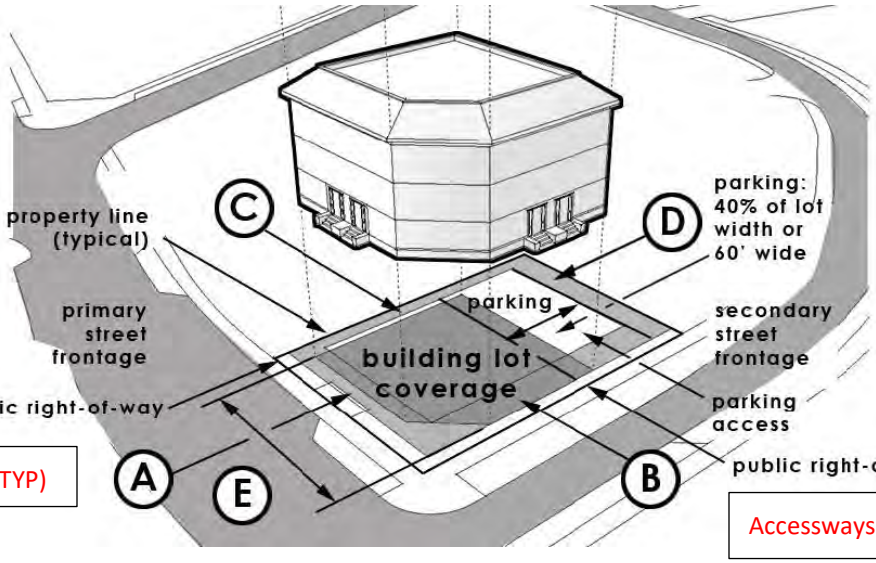
Intent and Purpose:
Traditional Neighborhood (T-4.2B)

The Traditional Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.

Characteristic Features

- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

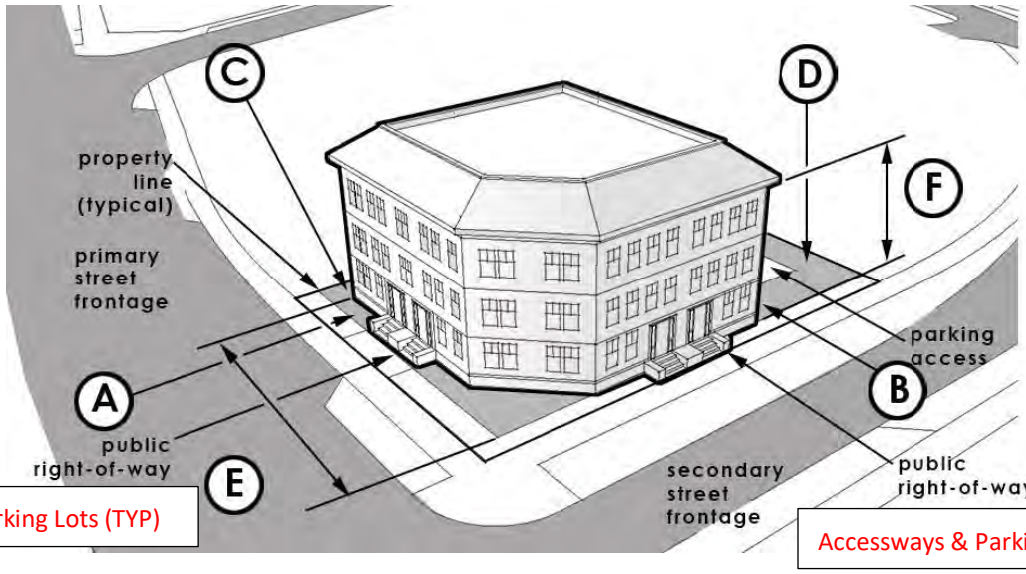
Sec. 60-548B.1. Building placement and configuration T-4.2B.



Accessways & Parking Lots (TYP)

Accessways & Parking Lots (TYP)

Elevated Building Placement



Accessways & Parking Lots (TYP)

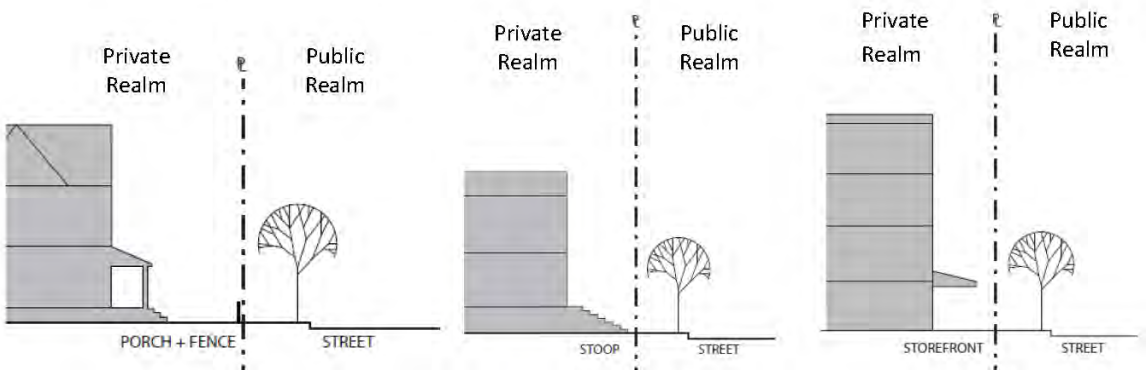
Accessways & Parking Lots (TYP)

Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 25 ft. Max*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story

*Where adjacent buildings exceed the maximum setback, the maximum setback may be calculated by the average setback of principal structures on adjacent lots. For undeveloped adjacent lots, a setback of 25 feet shall be used for the calculation.

Sec. 60-548B.2. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Residential - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. Commercial - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	Residential - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). Commercial - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Sec. 60-548B.3. External elements T-4.2B.

Front Yard Fence:	Residential - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. Commercial - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-549. Traditional Downtown Neighborhood T-4.2.

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3. Amend Sec. 60-554 of ARTICLE IV, DISTRICT REGULATIONS, DIVISION 14, FORM BASED CODE, as follows (text additions underlined and in red; deletions are ~~struck out~~):

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2B (4)	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Use Type							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	S	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	S	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	S		P	P	P	None
Retail Type Use							
General Retail	S	S	S	P	P	P	None
Age Restricted Retail (3)	S	X	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None

Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		X	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	S	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	S	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

(1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.

(2) *Parking requirements in T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within ~~1,000~~500 feet of the principal building, subject to planning board approval.

(3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.

(4) Office, Service and Retail uses limited to 1,500 SF footprint and must include a residential unit; no drive through businesses allowed.

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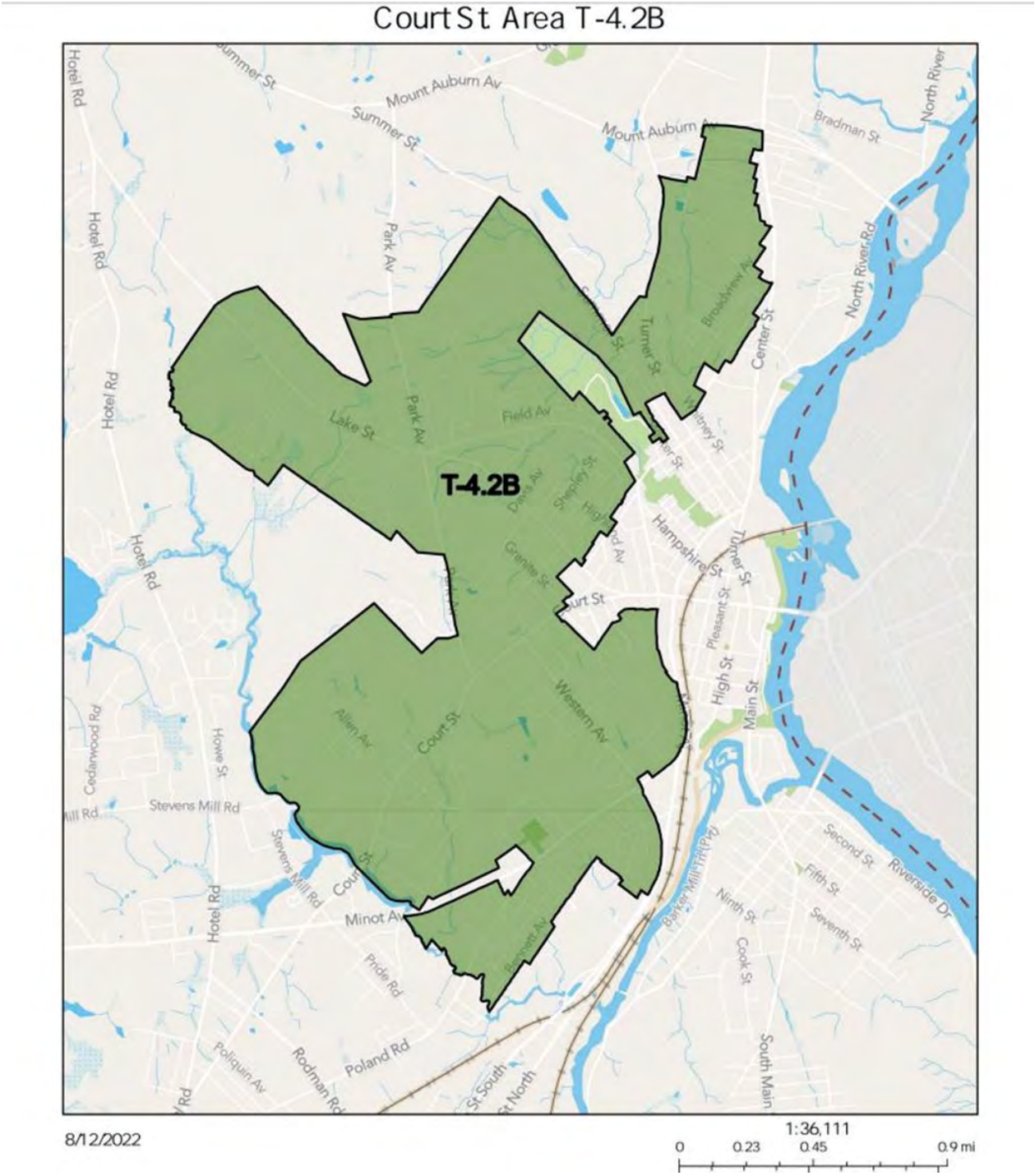
4. Amend the official zoning map of the City of Auburn entitled "City of Auburn, Zoning Map, dated May 16, 2016," revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance, to rezone certain land area from the Urban Residence zoning district to the Traditional Neighborhood Form Based Code T-4.2B zoning district, all as more particularly shown on the attached sketch map. (The attached sketch map is for general reference purposes only. The official zoning map amendment is available for review and inspection at the City Clerk's Office and the Planning & Permitting Department.)

SKETCH MAP OF COURT STREET AREA TO BE REZONED FROM URBAN RESIDENCE TO TRADITIONAL NEIGHBORHOOD FORM BASED CODE T-4.2B

The green area outlined in black below is 1,687.41 acres of land area that is currently zoned Urban Residence and is proposed to be rezoned Traditional Neighborhood Form Based Code District T-4.2B. Streets/roads included in the new district are parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order**: 148-11072022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Downtown Curb Appeal Grant Program

Information: The Downtown Curb Appeal Grant Program will allocate Two Hundred Fifteen Thousand dollars ($215,000) of APRA Funding to promote revitalization of properties in the Downtown District by providing financial assistance to building owners for improvement and maintenance to existing multi-unit residential buildings. Financial assistance is made available to provide a visual impact on the exterior of existing multi-unit buildings, thus improving the quality of the neighborhood, improve the sense of place and marketability of the overall area. The intent of this program is to incentivize building owners to reinvest in their buildings and communities.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: City Council Meeting October 3, 2022, during Communications and Presentations, Mayor Leveque proposed action. City Council Workshop October 17, 2022, staff presented draft program and Counsel provided feedback and direction to move forward to final order.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Program guidelines

City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Downtown Curb Appeal Grant Program (DCAGP)

Purpose

The purpose of the Downtown Curb Appeal Grant Program is to promote revitalization of properties in the Downtown District by providing financial assistance to residents for improvement and maintenance to existing residential buildings. Financial assistance is made available to provide a visual impact on the exterior of existing single-family residences and owner-occupied multi-unit buildings, thus improving the quality of the neighborhood, improve the sense of place and marketability of the overall area. The intent of this program is to incentivize residents to take reinvest in their buildings and communities.

Eligibility

Owners of a single-family residence or owner-occupied multi-unit who are below 120% of the area median income (AMI) and are located within the Downtown District are eligible for financial assistance**.** The funds can be used to upgrade and rehabilitate the exterior façade of their buildings. Only projects, which have not begun prior to being awarded, are eligible.

Eligible items may include:

- **Exterior Improvements** to the façade, including but not limited to, the following: changing exterior wall covering, landscaping, lighting, screening of unsightly utilities and to a limited extent, paving of parking areas.
- **Exterior Maintenance** measures that improve the overall looks of the façade and ensure the sustainability of exterior surfaces, such as cleaning, painting, tuckpointing, repairing, power washing, sand blasting, acid washing, window glazing, and caulking.

In order to be eligible to receive grant funds, all property taxes, real and personal, owed on the property that is the subject of the application must be current at the time the application is made. Any property on which there is past due balance for such taxes will be removed from consideration.

Property Conditions

All properties enrolled within the program will have a Housing Safety Inspection (HIS) conducted by Community Development Staff. This inspection will check every room in each unit to assure the base level of safety is present. This inspection does not supersede or circumvent any regular or required inspections by city Code Enforcement during the duly and regularly permitted process to be carried out in part with funding from this program. If the owner/building qualify for additional Community Development programs (such as the Critical Repair program or the Lead Hazard Control grant) city staff will expand the application to include these repairs. In such case, the most restrictive qualification standards and post-construction conditions will apply.

All projects must be reviewed and approved by the Community Development Office and all work conducted with proper permitting and approvals from the city Code Enforcement office.

DRAFT

Scoring Criteria

- The level of private investment utilized for the renovation. Applicants providing more than a 50% match will receive higher priority
- The potential impact the project will have on the surrounding area (visual prominence/significance)
- Whether the proposed improvements restore the historical character of the building
- The building's level of blight
- Whether the building is abandoned
- Improvements must be adjacent to a public space; however, priority is given to projects renovating multiple facades
- Whether the applicant has utilized the city incentive programs in the recent past

Funding

The City of Auburn may allocate $215,000 from the City ARPA funds for this program to complete projects on a minimum of 18 separate properties within the Downtown District. Maximum assistance is $10,000 per unit and can be combined with other city rehab programs.

All work must take place after an approved and separate scope of work and budget. A closing for a forgivable loan will be executed and approved funds will be held in a city managed escrow account. Contractors will be paid pari passu to matching funds and other programs funds which may be included. Financial assistance will only be available to those projects meeting eligibility requirements and preference will be given to projects that can be completed in a timely manner and make the most visual impact to the downtown area.

If additional funds are part of the financial package more restrictive procurement, inspection & post-construction conditions (including owner occupancy or Fair Market Rent standards) will apply.

Downtown Curb Appeal Grant Program

Sources and Uses	Unit Price	Quantity	Budget
Total Sources=			$215,000
Auburn Funds (ARPA)			$200,000
Auburn Funds (ARPA)			$15,000
Total Uses=			$215,000
Program Administration (1 year)			$15,000
Rebates for Approved Façade Improvements	$10,000.00	*18*	$180,000
Program Delivery (20 Hours)	$1,000.00	18	$18,000
Marketing and supplies			$2,000

DRAFT

City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Outreach

The City of Auburn will utilize existing data compiled and scored within the Downtown Blight survey to inform a direct mailer campaign and targeted outreach will be conducted in collaboration with the city Codes office.

Downtown Curb Appeal Grant Program (DCAGP) Guidelines

A. PROGRAM GOAL

The goal of the Downtown **Curb Appeal Grant Program** is to promote revitalization of properties in the Downtown District by providing financial assistance to residents for improvement and maintenance to existing residential buildings. This program is funded by American Rescue Plan Act (ARPA) and is subject to all requirements set forth by the funders as well as the Community Development Program rules herein.

B. ELIGIBILITY CRITERIA

1. The property must be an owner-occupied, year-round residential property of no more than 4 units.
2. Property owners must qualify at or below 120% of the Area Median Income (AMI) based on the current year limits as established by HUD.
3. Owners must not be delinquent on any taxes or utilities.
4. Funds must be used to provide a visual impact on the exterior of existing single-family residences and owner-occupied multi-unit building, thus improving the quality of the neighborhood, improve the sense of place and marketability of the overall area.

C. ASSISTANCE CATEGORIES AND TERMS

Loan Terms

1.) Maximum loan assistance is $10,000 per unit.
   a) Fully amortized loan @ 2% APR for 1-year, deferred payments.
   b) Upon final inspection and only if all conditions of the agreement are met this loan will be converted to a grant.

Funding

All work must take place after an approved and separate scope of work and budget. A closing for a forgivable loan will be executed and approved funds will be held in a city managed escrow account. Contractors will be paid pari

passu to matching private funds and other programs funds included within the approved budget and scope of work.

D. NATIONAL OBJECTIVES

Projects will be eligible under the American Rescue Plan Act (ARPA). The allocation of loan pool funds will be monitored and adhere to the current and future requirements set forth by these funding sources.

Income Qualification: Applicants will be required to provide source income. Applicants will be required to sign a Rehabilitation Agreement to assure project completion.

E. PROGRAM QUALIFICATION ASSESMENT

The Community Development Office has responsibility for administration of the **Downtown Curb Appeal Grant Program**. Community Development verifies source documentation in accordance with program guidelines and presents the loan request to the Program Director for approval based on achieving the national objective in part D above and part G below.

F. PRIVATE FUNDS

Private Funds: When matching funds are required, the applicant will have the option of using cash or borrowed funds. Disbursement of funds will be Pari Passu to matching funds on a per-invoice basis. Verification of private fund payments will accompany each disbursement request.

G. LOAN CONSIDERATIONS

In approving or denying loan requests, the Community Development staff shall be guided by the following loan considerations:

1.) Underwriting

a) Construction costs reasonable and arms-length.
b) Credit - credit history and reputation.
c) Payment of taxes or acceptable arrangements.
d) Collateral - Collateral coverage must be adequate as determined by the Community Development Staff.
e) Security - other assets.
f) Commitment of matching funds.

2.) Assessment Private/Public Benefit

The Community Development staff will also consider the broader implications of private and public benefits.

H. NON-DISCRIMINATION

Administration of this program shall be in accordance with Title VI of the Civil Rights Act of 1964. No person shall, on the ground of race, color, national origin, be excluded from participation in, be denied the benefits of, or subjected to discrimination under this program.

I. APPLICATION PRIORITY

Applications shall be processed on a first-come, first-served basis. Community Development staff shall use the receipt date of a complete application (including all required source documentations) to establish the order of priority. The applicant will be notified if there is funding available to proceed with the project, if there is inadequate funding then the application may be placed on a waiting list.

J. PROPERTY INSPECTIONS

All properties enrolled within the program will have a Housing Safety Inspection (HIS) conducted by Community Development Staff. This inspection will check every room in each unit to assure the base level of safety is present. This inspection does not supersede or circumvent any regular or required inspections by city Code Enforcement during the duly and regularly permitted process to be carried out in part with funding from this program.

K. DEFINITIONS

a. Household Income

i. For the purpose of determining eligibility, Community Development staff will calculate income by estimating the annual income of a family or household by projecting the prevailing rate of income of each person at the time assistance is requested based on the IRS Form 1040 method as defined by the Office of Housing and Urban Development.

ii. Income of all members of the household over the age of 18 years is considered for computing income. This may include wages, salaries, overtime, bonuses, fees, tips, commissions, interest and dividend income, self-employment income, net rental income, income from estates or trusts, child support, alimony, Social Security benefits, SSI retirement, survivor or disability pension, VA payments, pension, or annuity, Temporary Aid to Needy Families, unemployment

DRAFT

benefits, worker's compensation, and disability or benefits from any source.

iii. For computing income, a household shall be defined as all persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together or any other group of related or unrelated persons who share living arrangements.

b. **Owner-Occupied**
An applicant who holds the entire ownership interest of a property and lives in one unit of the property as a primary residence.

c. **Construction Costs**
The total of contractor estimates from the lowest eligible contractors, and the contingency determined to be reasonable by the Community Development Staff.

d. **Residential Property**
A property used entirely for residential purposes (household living space).

e. **Income Limits**
To qualify applicants for assistance under the **Downtown Curb Appeal Grant Program**, Community Development staff will use income limits for Lewiston-Auburn SMSA established by the Office of Housing and Urban Development. Revised charts will be used upon receipt.

DRAFT

ORDER 148-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby allocates Two Hundred Fifteen Thousand Dollars ($215,000) of ARPA Funds to create the Downtown Curb Appeal Grant Program which will comply with established program guidelines and meet all ARPA rules, regulations, and guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order:** 149-11072022

Author: Brian Wood, Assistant City Manger

Subject: Authorization for the City Manager to execute the Collective Bargaining Agreement between the City of Auburn and the Maine Service Employees Association Union Local 1989 covering 07/01/2022 – 06/30/2023

Information:

City Budgetary Impacts:

Staff Recommended Action: Staff recommends the City Council vote for passage of this Resolve.

Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Contract Agreement from 07/01/2022 to 6/30/2023

ORDER 149-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with the Maine State Employees Association-Service Employees International Union, retroactive to 07/01/2022.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order:** 150-11072022

Author: Brian Wood, Assistant City Manager

Subject: Community Service/ Outreach Trailor Program

Information:

In an effort to continue to build and support the feeling of community and outreach the Auburn City Council is allocating up to $50,000.00 to create two seperate trailors that will be available for residents of Auburn to use throughout the year. One trailor will consist of lawn and yard maintenance equipment such as electric lawn mowers, shovels, sheers ect that volunteer groups or communities and rent free of charge for neighborhood cleanups. The Second trailor will be a mobile block party complete with table, chairs, lawn games, ect for communities to rent free of charge for summer and fall blockparties, community events and National Night Out with the Auburn Police Department.

The City will be partnering with other community organizations and businesses for trailor donations and sponsorships.

City Budgetary Impacts:
Up to $50,000.00

Staff Recommended Action: Support

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 150-11072022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council direct the City Manager to purchase and outfitting of two trailers as part of the Community Outreach and Community Beautification Trailor Program. The City of Auburn will allocate up to $50,000 from the American Rescue Plan Act (ARPA) funds in support of this initiative.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: November 7, 2022 **Order:** 151-11072022

Author: Councilor Stephen Milks and Councilor Leroy Walker

Subject: Directing the Planning Board to provide a recommendation on a text amendment

Information: The Council on September 6, 2022, voted on a resolve (06-09062022) to direct the Planning Board to provide an opinion, no later than 3/20/2023 on whether to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay in an effort to try to help address the housing shortage and demand upon existing housing stock.

Councilors Milks and Walker are submitting this order for council consideration, directing the Planning Board to for the purposes outlined in the resolve, to discuss and provide facts relating to an ordinance change which strikes the 30% income requirement in both the permitted use for a single-family homes accessory to a farm in the AGRP zone city-wide on lots over 10 acres and for the special exception use on lots between 6.2 and 10 acres that existed prior to 2017.

The intent of the ordinance text change is not to change the purpose as outlined in Section 60-144 but to eliminate impediments that have stopped any farm growth in Auburn. Furthermore, the Comprehensive Plan of 2021 states “it is understood that agriculture and forestry may not be profitable in some areas of the city and the existing Agriculture and Resource Protection zoning, in some cases, eliminates the economic use of private land.”

In accordance with city ordinance, the city council hereby orders the planning board to render a final decision and recommendation which shall include written findings of fact and shall specify the reason or reasons for such decision or recommendation as it pertains to striking the income requirement and farm accessory dwelling standards within the Agriculture and Resource Protection Zone. This finding shall be returned to the city council no later than 3/20/2023.

City Budgetary Impacts: NA

Staff Recommended Action: NA

Previous Meetings and History: September 6, 2022

City Manager Comments: For council consideration.

Signature:

Attachments: Proposed zoning ordinance change text, Resolve 06-09062022 adopted 9/6/2022 and Order 151-11072022.

RESOLVE 06-09062022

City Council Resolve

IN CITY COUNCIL

Whereas the City of Auburn is experiencing tremendous demand upon existing housing stock causing values to significantly increase.

Whereas the City of Auburn, State of Maine and most parts of the United States is experiencing a significant housing shortage.

Whereas the City of Auburn has over 20,000 acres of under or undeveloped land, with a significant percentage serviced by some infrastructure such as roads, trash, police, and fire protection, which is on average more served than similar rural communities.

Whereas there are certain impediments that are restricting natural growth of homes on this privately held land within the Agriculture and Resource Protection Zone or within an arbitrary residential strip of 300' in depth.

Whereas the City of Auburn Planning Department has received numerous requests to petition to Planning Board to change zoning in order to construct a residence, these numerous requests must be heard but will produce a significant burden upon staff and Planning Bboard.

Whereas the 2018 third party Cross Roads study of the viability of our rural land recommended elimination of the income standard as a condition to build a residence.

Whereas the income standard was not repealed but modified from 50% of a family's income to 30% of an individual's income being derived from agriculture activities as a condition to build a residence in 2019 without any increase in number of new farms created.

Whereas the Comprehensive plan of 2021 states "it is understood that agriculture and forestry may not be profitable in some areas of the city and the existing Agriculture and Resource Protection zoning, in some cases, eliminates the economic use of private land."

Whereas LD 2003 allows the building of 2 units on a parcel located in an area that allows residences. This State law supersedes local ordinance and will be in effect in July of 2023.

Whereas the Lake Auburn Watershed requires conservation measures to protect Lake Auburn and therefore the greater good supersedes the individual's economic benefits unless those within the watershed petition the Planning Board directly for a zone change and can

City Council Resolve

demonstrate that any development will not negatively impact the regions primary source of drinking water.

Therefore, **be it resolved that** the City Council directs the Planning Board after consultation from the Sustainability and Natural Resource Management Board to provide an opinion and deliver recommendations to the City Council no later than March 20, 2023 ~~December 15th, 2022~~, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay.

Passage on 9/6/2022 as amended, 5-3 (Councilors Gerry, Whiting, and Staples opposed).

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 2. AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

(1) One-family detached dwellings except as prohibited by Section 60-952(b).~~, including manufactured housing subject to all the design standards, except the siting requirements of section 60-1010, as set forth in division 6 of article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:~~

~~a. At least 30 percent of the gross annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30 percent of the city's median household income, according the most recent census data.~~

~~b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75 percent completed.~~

~~c. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.~~

~~d. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.~~

(2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.

(3) Forest products raised for harvest.

(4) Field crop farms.

(5) Row crop farms.

(6) Orchard farms.

(7) Truck gardens.

(8) Plant and tree nurseries.

(9) Greenhouses.

(10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.

(11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.

(12) Wayside stands.

(13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.

(14) Adult use and medical marijuana cultivation, but not retail sales of any kind.

(15) Marijuana manufacturing accessory to a licensed cultivation site.

(16) Ground-mounted and dual-use solar energy generating systems less than one acre in total land area as defined in section 60-1501.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

(1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:

a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.

b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.

c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.

(2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.

(3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.

(4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.

(5) Recreational uses of land intended or designed for public use subject to the following conditions:

a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.

b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.

(6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:

a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.

b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

(7) Rifle, pistol, skeet or trap shooting ranges, public or private.

(8) Cemeteries, subject to the following conditions:

a. At least 20 acres in area.

b. Not located in any environmental overlay district or over any known aquifer.

(9) Municipal sanitary landfills, subject to the following conditions:

a. Not located in any environmental overlay district or over any known aquifer.

b. Provisions shall be made to avoid surface water and groundwater pollution.

c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.

(10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:

a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.

b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.

(11) Wholesale nurseries, subject to the following conditions:

a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.

b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

(12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:

a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.

b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.

c. An end-use plan must be filed as part of the planning board process.

(13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.

(14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:

a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the watershed of Taylor Pond, the shoreland overlay district or the floodplain overlay district.

b. The proposed use shall not occupy more than 10,000 square feet of building area.

c. The number of employees shall be limited to not more than 15.

d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.

e. Hours of operation shall limited to between 6:00 a.m. and 8:00 p.m.

(15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.

b. Provisions shall be made to avoid surface and groundwater pollution.

c. Provisions shall be made to counteract vermin, insects and odors.

d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.

e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Adaptive reuse of structures of community significance.

(17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;

b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and

c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(18) One-family detached dwellings~~, including manufactured housing, subject to all the design standards, except the siting requirements of section 60-1010, as set forth in division 6, article XII of this chapter,~~

on parcels containing greater than 6.1, but less than ten acres, provided that ~~the dwelling is accessory to farming operations and subject to~~ the following restrictions are met:

a. ~~At least 30 percent of the gross annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30 percent of the city's median household income, according to the most recent census data; and~~

~~b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75 percent completed; and~~

~~c. The applicant shall demonstrate compliance with the following requirements, said compliance to be first reviewed by the Agricultural Advisory Committee for recommendation:~~

~~1. The applicant shall provide a farm business plan that appears feasible and, if implemented, will meet the definition of a farm.~~

~~2. The parcel can reasonably accommodate the proposed farm.~~

~~3. The applicant shall demonstrate a commitment to the proposed farm use through compliance with the following requirements:~~

~~4. The parcel must contribute to a gross income per year of at least the amount required to meet the definition of farmland in 36 M.R.S.A. § 1102(4), per year from the sales value of agricultural products as defined in 7 M.R.S.A. § 152(2) in the two calendar years preceding the date of application for special exception use approval. Gross income includes the value of commodities produced for consumption by the farm household.~~

~~5. The proposed residence shall be accessory to farming.~~

a~~6~~. The proposed residence shall not be located in the Lake Auburn Watershed Overlay District.

b~~d~~. The parcel was existing as of October 1, 2017, contains more than five acres of land area, and otherwise meets the requirements of this chapter.

~~e. In no case shall any farm residence constructed under the provisions of this section, after the effective date of the amended ordinance from which this section is derived, continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.~~

~~f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirement of this article.~~

(19) Ground-mounted and dual-use solar energy generating systems greater than one acre in total land area as defined in section 60-1501, subject to the following conditions:

a. Must comply with the provisions of article XVIII under this chapter;

b. Setbacks, including appurtenant structures and parking areas, shall be subject to the following yard requirements:

1. *Rear.* There shall be behind every structure associated with a solar energy generating system a rear yard having a minimum depth of 25 feet.

2. *Side.* There shall be a minimum distance of 15 feet between any structure associated with a solar energy generating system and the side property line.

3. *Front.* There shall be in front of every structure associated with a solar energy generating system a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.

c. Lot coverage shall not exceed 30 percent, as defined under subsection 60-1506(a)(2).

d. *Total land area.* Once one percent of the agriculture and resource protection district has been developed into solar energy generating systems, the planning board must find that any additional proposed solar energy generating systems will not materially alter the stability of the overall land use pattern of the agriculture and resource protection district. In making this determination, the planning board shall consider the overall effect of existing and potential solar energy generating systems and if it will be more difficult for existing farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the surrounding area. The planning board shall request an assessment of the proposed project based on subsection 60-145(b)(19)d. by the agriculture committee and, if located in the resource protection district, the conservation commission and carefully consider their recommendations.

e. All applications shall consider the location of existing grid infrastructure and plan to limit the need to extend the amenities for optimal efficiency.

f. If a solar energy generating system is proposed on forestland in the agriculture and resource protection district, on a parcel adjacent to prime farmland or land currently used for farming, clearing of forestland or the use of prime farmland may be permitted under the following conditions:

1. The presence of the solar energy generating system will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property or abutting properties.

2. At the time of decommissioning of any solar energy generating system approved by the planning board, the current sitting planning board shall review the site and proposed decommissioning plan for the conversion of the parcel into prime farmland or forestland, as applicable under the current ordinance standards.

3. A survey of critical wildlife habitat is provided at the time of application, if a project is located in an area determined to be essential habitat, as defined by the state department of inland fisheries and wildlife, an IF&W recommendation shall be secured before a planning board ruling.

4. A vegetative cover plan is provided that demonstrates, where feasible, the replanting of forested areas disturbed during construction and preservation of prime soils throughout the life of the project.

g. *Prime soils.* All solar energy generating systems proposed in the agriculture and resource protection district shall include a soil analysis. Such analysis shall demonstrate if the site proposed for development contains prime farmland as defined by the United States Department of Agriculture (USDA). Least productive agricultural soils shall be considered first for development unless it can be demonstrated to the planning board that:

1. Non-prime farmland is not reasonably available on the subject property.

h. All applications for solar energy generating systems in the agriculture and resource protection district shall be subject to the following provisions:

1. Siting of the overall facility and individual panels shall keep with the existing contours of the land;

2. Only pile driven, or ballast block footing shall be used so as to minimize the disturbance of soils during installation;

3. To the extent possible, infrastructure shall not be located on steep slopes; and

4. A plan for topsoil maintenance shall be provided at the time of application to the planning board.

i. All operations and maintenance plans shall also include:

1. A plan prioritizing the ability to co-mingle agricultural and energy generation land uses including but not limited to: apiaries, grazing or handpicked crops.

2. A plan that provides habitat for native plants and animals and native pollinators.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019; Ord. No. 17-11182019, 12-9-2019; Ord. No. 05-05182020, 6-1-2020; Ord. No. 11-03012021, §§ 5, 6, 3-15-2021)

Sec. 60-146. Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres, except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.

a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.

b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2.

c. A dwelling may be constructed on lots existing as of October 1, 2017 and containing greater than 6.1 acres but less than ten acres, if approved as a special exception pursuant to subsection 60-145(b)(18).

(2) *Density.* The density of year-round dwelling units shall not exceed an average of one dwelling per ten acres, unless approved pursuant to subsection (1) above.

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.

(4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.

(5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.31C; Ord. No. 18-11182019, 12-9-2019; Ord. No. 11-03012021, §§ 7, 8, 58, 3-15-2021)

Secs. 60-147—60-199. Reserved.

DIVISION 4. LAKE AUBURN WATERSHED OVERLAY DISTRICT

Sec. 60-950. Purpose.

The Lake Auburn Watershed District is intended to maintain safe and healthful environmental conditions; prevent and control water pollution; protect spawning ground for fish, aquatic life, bird and other wildlife habitats; control building sites; provide visual and physical points of access to waters and natural beauty; and protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed to the population of the Auburn-Lewiston area.

(Ord. of 9-21-2009, § 5.3A)

Sec. 60-951. Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

(Ord. of 9-21-2009, § 5.3B)

Sec. 60-952. Use and environmental regulations.

(a) *Agricultural uses.* All uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes shall be subject to the approval of the city water district. Such approval shall be granted upon a showing that such uses will not cause groundwater contamination or contaminate or disturb the normal course of surface water runoff.

(b) New *Residential dwellings in the agriculture and resource protection zoning district* *are prohibited in the Lake Auburn Watershed*~~. Notwithstanding subsections 60-145(a)(1), 60-145(b)(18) and 60-146(1)(c), one-family detached dwellings are only permitted in the Lake Auburn Watershed District on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restriction: at least 50 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses.~~

Order 151-11072022

City Council Order

IN CITY COUNCIL

Whereas City of Auburn Council passed resolve 06-09062022.

Whereas the City of Auburn Council intended the resolve to begin an ordinance text amendment process that would deliver a Planning Board recommendation back to Council by March 20, 2023, however, actual text to be considered was not included in the resolve.

Therefore, **be it ordered that** the City Council directs the Planning Board after consultation from the Sustainability and Natural Resource Management Board to provide an opinion and deliver recommendations to the City Council no later than March 20, 2023, on whether or not to eliminate the income standard and the current strip zoning limitations in all areas outside of the Lake Auburn Watershed overlay as an ordinance text amendment considering the attached proposed text changes.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
December 5, 2022
Auburn Hall, Council Chambers

5:30 P.M. City Council Workshop

- **A.** Executive Session – Legal Consultation, pursuant to 1 M.R.S.A. Section 405(6)(E)
- **B.** Executive Session - Contract Negotiations, pursuant to 1 M.R.S.A. Section 405(6)(D)
- **C.** Art Policy – Jennifer Boenig and Rebecca Conrad
- **D.** Stage Purchase – Brian Wood
- **E.** Heating Assistance Program – Glen Holmes

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Staples

Pledge of Allegiance

I. Consent Items – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 156-12052022*
Confirming the Mayor's appointment of Scott Berry to the Mayor's Ad Hoc Committee to develop permit ready housing.

II. Minutes – November 21, 2022, Regular Council Meeting

III. Communications, Presentations and Recognitions

- Communication – Staff response to the Sustainability and Natural Resource Management Board (SNRB) communication
- St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Update
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Order 157-12052022
Authorizing the use of $35,000 in ARPA funds for the Auburn Heating Assistance Program.

2. Order 158-12052022
Disposition of building located at 110 Hampshire Street under dangerous building statute. Public hearing. Hearing for parties with interest in property.
Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).

3. Order 159-12052022
Approving the liquor license for Ryan & Connor Concessions Group, LLC, DBA: Ringers, located at 985 Turner Street. Public hearing.

4. Order 160-12052022
Allocating up to $180,000 from the American Rescue Plan Act (ARPA) funds for the purchase of a portable Stage.

5. Ordinance 24-12052022
Zoning Map Amendment - Amending a portion of 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), and Low-Density Country Residential (LDCR), zoning districts to the Suburban Residential (SR) as recommended by the Planning Board. First Reading.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

a. Mayor's Report
b. City Councilors' Reports
c. City Manager Report

IX. Executive Sessions - None

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022

Subject: Executive Session

Information: Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

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E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022

Author: Jennifer Boenig, Downtown Coordinator

Subject: Public Art Policy

Information: As the City's public art collection continues to grow, it is necessary to have a clear definition of public art through a policy which outlines the principles, oversight, maintenance, acquisition and deaccession of the city's public art collection.

City Budgetary Impacts: None

Staff Recommended Action: Review the draft policy for consideration

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Previous Meetings and History: The draft policy is based on a situation summary delivered to the City on October 24, 2021 from RSC Consulting. That summary included interviews with City staff and factored in the experiences of the Public Art Working Group that was convened to manage the Maine Arts Commission Creative Communities = Economic Development grant (2019-2021).

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Copies of the draft policy will be available at the meeting.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 160-12052022

Author: Brian Wood, Assistant City Manager

Subject: Purchase of a portable stage

Information:
The City of Auburn has historically rented a stage 2 to 4 times a year for various performances and events. With an increase in major events planned over the next several years an investment in a mobile stage, equipment and training would remediate the need to rent a stage and allow for greater flexibility with events.

City Budgetary Impacts:
$180,000.00

Staff Recommended Action:
Staff recommends supporting this purchase

Previous Meetings and History:
N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 157-12052022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Auburn Heating Assistance Program

Information:
The City of Auburn is seeking funds from the American Rescue Plan Act (ARPA) to support the establishment of a heating assistance program for Auburn residents. These vouchers can be requested through the General Assistance office and can be used by homeowners and renters for purchasing approved utilities or heating fuels.

City Budgetary Impacts:
The Office of Business & Community Development is seeking $35,000 in ARPA funds to administer this program.

Staff Recommended Action:
Vote to Authorize the use of $35,000 in ARPA funds for the Auburn Heating Assistance Program.

Previous Meetings and History:
11/21/2022 The council made a request for staff to develop such a program.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Auburn Heating Assistance Program Summary

City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

Auburn Heating Assistance Program (AHAP) summary

Purpose

The purpose of the Auburn Heating Assistance program is to support Auburn residents struggling with increased heating costs for the winter of 2022-23 and who have exhausted all other resources available. This program will provide grants up to $600 to residents whose income is below 100% AMI, and who have exhausted other regional resources. Qualified expenses include: #2 heating fuel, K-1 heating fuel, natural gas, propane, firewood, wood pellets, and electricity.

Funding

The City of Auburn may allocate $35,000 from the City ARPA funds for this program to supplement current funds. The city will operate this program through the General Assistance (GA) office and all expenses and program administration will be covered with existing city budgets. Budget priority will be given to existing funding sources such as state-funded GA, Li-heap etc. before utilizing ARPA funds to fill this need.

Eligibility

Income & asset eligibility will be based on the annual gross income threshold table below and require verification to include paystubs, social security information, bank statements, etc. Income minimums represent GA maximum thresholds, and exceptions to these guidelines can be made insofar as they are in the spirit of the program.

Household Size	1	2	3	4	5	6	7	8
Minimum income	$9540	$10,308	$13,188	$17,124	$20,736	$21,636	$22,536	$23,436
Max income	$55,720	$63,680	$71,640	$79,600	$85,968	$92,336	$98,704	$105,072
Max liquid assets	$500	$1,000	$1,500	$2,000	$2,500	$3,000	$3,500	$4,000

Additional qualifications:

- Must reside in Auburn as a renter or homeowner
- Must have accessed other eligible programs first (LI-HEAP, General Assistance)
- Renters must provide lease and/or landlord verification form identifying tenant responsibilities.
- Non-owner-occupied multi-units which provide heat do not qualify for this program.
- Must provide documentation of current household composition and provide identification for all who are residents as evidenced by: Driver's license, birth certificates, social security numbers, immigration paperwork, etc.

Application

Applicants will apply through the General Assistance office and will provide all necessary documentation. The program administrator will track applications within the Welpac system and make final determinations of eligibility. Failure to provide all needed information will result in applications being denied. Complete applications will be approved on a first-come first-served basis until program funds are exhausted. The city of Auburn reserves the right to reject any application.

DRAFT

ORDER 157-12052022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby authorizes the use of $35,000 in ARPA funds for the Auburn Heating Assistance Program, which will comply with established program guidelines and meet all ARPA rules, regulations, and guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 156-12052022

Author: Sue Clements-Dallaire, City Clerk

Subject: Confirming the Mayoral Appointment to the Ad Hoc Committee to develop permit ready housing

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The Mayor would like to appoint the following applicant to serve on his Ad Hoc Committee to develop permit ready housing in Auburn:

Scott Berry

City Budgetary Impacts: None

Staff Recommended Action: Motion to confirm the Mayor's recommendation to serve on the Committee.

Previous Meetings and History: September 6, 2022, October 17, 2022

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Application, Order

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Sunday, November 6, 2022 10:08 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

First Name: Scott

Middle Initial:

Last Name: Berry

Residence Address: 179 Davis Ave

Ward: Ward 2

City: Auburn

Home Phone: 207-520-4033

Cell Phone: 207-520-4033

E-mail Address: maineproperty1@gmail.com

Current Occupation: Real Estate Associate Broker

Previous Occupation (if retired or no longer working): Retired Union Carpenter

Education and/or experience: Hign school completed, 49 years as a carpenter 20 years residentail carpenter, with 29 years in commercial carpentry. Going on my 9th year selling real estate, along with flipping houses and building a spec house. PT Building Inspector & Planning Mem

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one).: Citizens Advisory Committee

OTHER (Ad-Hoc Committees not on the list above):: Mayor's Ad-Hoc Committee to Develop Permit-Ready Housing Plans

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I believe Auburn will excel, along with its citizens, as the leading community here in Maine. Where all citizens will feel welcome, prosper to their fullest potential and neighborhoods that are appealing, where no one wants to sell their home.

What I do not want to see are quiet neighborhoods, resembling fair midways with flashing neon lights and signs.

What do you hope to accomplish?: I believe Auburn will excel, along with its citizens, as the leading community here in Maine. Where all citizens will feel welcome, prosper to their fullest potential and neighborhoods that are appealing, where no one wants to sell their home.

What I do not want to see are quiet neighborhoods, resembling fair midways with flashing neon lights and signs.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: No

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Strategic Planning for Auburn

Dates served (if known):

How did you learn of this vacancy?: Meeting

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Scott Berry

Date of Electronic Signature: 11/6/2022

ORDER 156-12052022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms the Mayoral appointment of Scott Berry to the Ad Hoc Committee to Develop Permit Ready Housing:

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Manager Crowell called the meeting to order at 7:03 pm. All Councilors were present. The Mayor had an excused absence.

Motion was made by Councilor Walker and seconded by Councilor Morin to nominate Councilor Milks to serve as Mayor Pro Tempore in the temporary absence of the Mayor. There were no other nominations.

Passage 7-0.

Mayer Pro Tempore Milks led the assembly in the salute to the flag.

I. Consent Items - None

II. Minutes – November 7, 2022 Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Walker to approve the minutes of the November 7, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Communication - Sustainability and Natural Resource Management Board
- Council Communications (about and to the community)

Councilor Morin congratulated the Leavitt High School and Oxford Hills football teams for winning the state championships.

Councilor Gerry reminded everyone about the Thanksgiving Dinner that will be held at the Senior Center on 11-24-2022. The public is encouraged to call in advance if possible.

City Manager Crowell announced that on December 1st at 4:30 pm at Anniversary Park, we will be unveiling the newest piece of public art installation. More information will be forthcoming. He also reminded the public that the city building will be closed on Thursday and Friday in observance of the Thanksgiving holiday, and there will be no trash pick-up on Thanksgiving Day.

IV. Open Session –

Jane Costlow, 104 Fourth Street provided an explanation of the SNRB communication that was included in the packet.

Pam Rousseau, 745 West Auburn Road, encouraged Council to not move forward on their efforts on the strip zone and she commented on the Andrew Drive zone change request and the FB Environmental study.

David Griswold, 199 Gamage Avenue, spoke regarding the Community Cords Program.

V. Unfinished Business - None

VI. New Business

1. Order 152-11212022
Approving the reallocation of bonds to build roof protection for the Norway Savings Bank Arena (NSBA) sign.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 153-11212022
Approving the Mass Gathering for the New Year's Eve event to be held 12/31/2022. Public hearing.

Motion was made by Councilor Hawes and seconded by Councilor Staples for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

3. Order 154-11212022
Approving the temporary liquor license for an Incorporated Civic Organization for the New Year's Eve event to be held 12/31/2022. Public hearing.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 155-11212022
Allocating $150,000 American Rescue Plan Act (ARPA) funding for the Neighborhood Corner Store Program.

Motion was made by Councilor Walker and seconded by Councilor Gerry for passage.

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – No one from the public spoke.

VIII. Reports (from sub-committees to Council)

Councilor Staples noted that the Library Board will meet tomorrow at 4:30 p.m. at the Auburn Public Library, and this month's LATC meeting has been cancelled.

Councilor Whiting spoke on the Community Cords Program.

Jill Eastman, Finance Director – October Finance Report

Motion was made by Councilor Walker and seconded by Councilor Staples to accept and place on file the final October Finance Report.

Passage 7-0.

IX. Executive Sessions – None

X. Adjournment - Motion was made by Councilor Walker and seconded by Councilor Staples for passage. Unanimously approved and the meeting adjourned at 7:36 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Mayor and City Council
From: Eric J. Cousens, Director of Planning and Permitting
Re: Staff Response to Sustainability & Natural Resource Management Board Working Group Communication for Council Review
Date: November 30, 2022

At the November 21, 2022 Council meeting the Council received a request for clarification from the Sustainability & Natural Resource Management Board Working Group. That communication is on page 12 of the November 21, 2022 Council Packet . The Council asked that staff draft a response to provide the requested clarification. Below is staff's understanding of the requested resolve and order from the Council for confirmation or editing if the Council expectation differs from our understanding.

Question 1: There are two references to strip zones in the resolution ("arbitrary residential strip" and "current strip zone limitations"): please clarify what you mean by "arbitrary" and "current strip zoning limitations."

Response 1: The depth of the residential strips varies between 450' -750' in some areas. The depth of the strip limits residential construction to within the residential strip while many of the parcels have residentially zoned frontage and AG/RP zoned back land and no farming, forestry or agricultural use of the parcels. "Arbitrary" refers to the strip depth being set in the past without regard, in most cases, to physical or environmental constraints. One exception to this may be where the strip depth follows a floodplain boundary(Riverside Drive as an example). "Current strip zoning limitations" refers to the residential development allowances being limited to the depth of the strip and not being allowed outside the strip at the rear of a parcel that is primarily used for residential purposes.

Question 2: You refer to the 2021 Comprehensive Plan regarding non-profitability of certain areas of the city for agriculture and forestry. What particular areas of the city are you referring to? Please provide a map showing those areas.

Response 2: The AG/RP zoning district allows limited uses. The zone does not allow residential uses unless the residence is in support of a farm and uses the 30% income standard to validate that connection of the residence to the farm. The standard effectively removed the "residential" value of the land from the parcel and the market sales of AG/RP land are generally a lower value per acre than land that allows residences as a primary use. This question refers to all lands in the AG/RP zoning district that do not have an existing legally nonconforming home and also refers to excess land (large lots) contiguous with lots containing an existing single family home. "Non-profitability" refers to this reduction in market value that exists in AG/RP zoned lands as perceived by the competitive real estate market and demonstrated by actual arms length sales data. The City zoning map shows the areas in the AG/RP zoning District.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5th, 2022

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Update

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Information: The attached memo provides details to be covered during the presentation. The rail corridor under evaluation was first acquired in 2007 at the urging of regional planners from the Auburn and Lewiston region and has been studied for various uses over the last 25 years. A process now underway will make a recommendation to the Commissioner of MaineDOT on future transportation uses of that corridor that could eliminate rail.

City Budgetary Impacts: None

Staff Recommended Action: Discussion and potential action on a City Council Resolve at December 19th, 2022 meeting

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Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

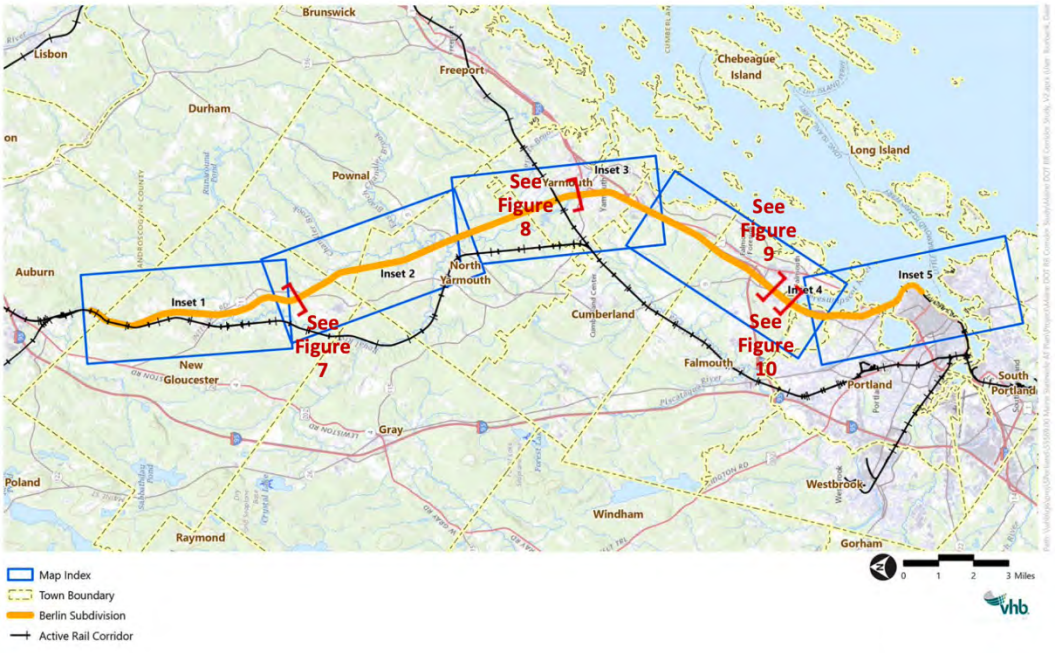
Attachments:
Memo to City Council Dated November 30th on SLR Berlin Subdivision RUAC

City of Auburn, Maine
Transportation Systems Director
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

TO: Mayor Jason Levesque and the Auburn City Council
FROM: Jonathan P. LaBonte
DATE: November 30, 2022
SUBJECT: St. Lawrence and Atlantic/State-owned Corridor (Rail Use Advisory Council)

This memo serves to provide context and a recommended City of Auburn position related to the Rail Use Advisory Council (RUAC) process underway for the future use of the State of Maine-owned St. Lawrence and Atlantic Railroad (SLR) corridor from Auburn to Portland (see Figure 1). During the previous legislative session, a bill was passed into law allowing for a petition process to assess the conversion of existing railroad corridors to alternative transportation uses. This assessment would occur under the auspices of an RUAC, giving municipalities, trail users, and rail use advocates the opportunity to spend nine months reviewing technical analysis on the costs and potential economic value of various transportation uses of a rail corridor.

Figure 1



Source: MaineDOT Berlin Subdivision Corridor Study DRAFT, https://www.maine.gov/mdot/ofps/ruac/parac/index.shtml

Communities along the SLR corridor petitioned the state in the summer and fall of 2021 to establish such an RUAC, with most entering the process fully committed to seeing this rail corridor converted to a trail. Unlike the City of Auburn, which has land use plans that explicitly call out the economic opportunity of freight and passenger rail connections on multiple railroads, the suburban and rural towns between Auburn and Portland have all but eliminated those types of land uses.

Given the long-term nature of land use and transportation planning, some context about this corridor is of value. Unfortunately, this RUAC process is being advanced outside of other statewide planning efforts for Maine's transportation system. Namely, the state is creating a new long-range plan (through 2050) along with a new statewide rail plan and a new statewide strategic transit plan. This process will finish before those planning efforrts are completed.

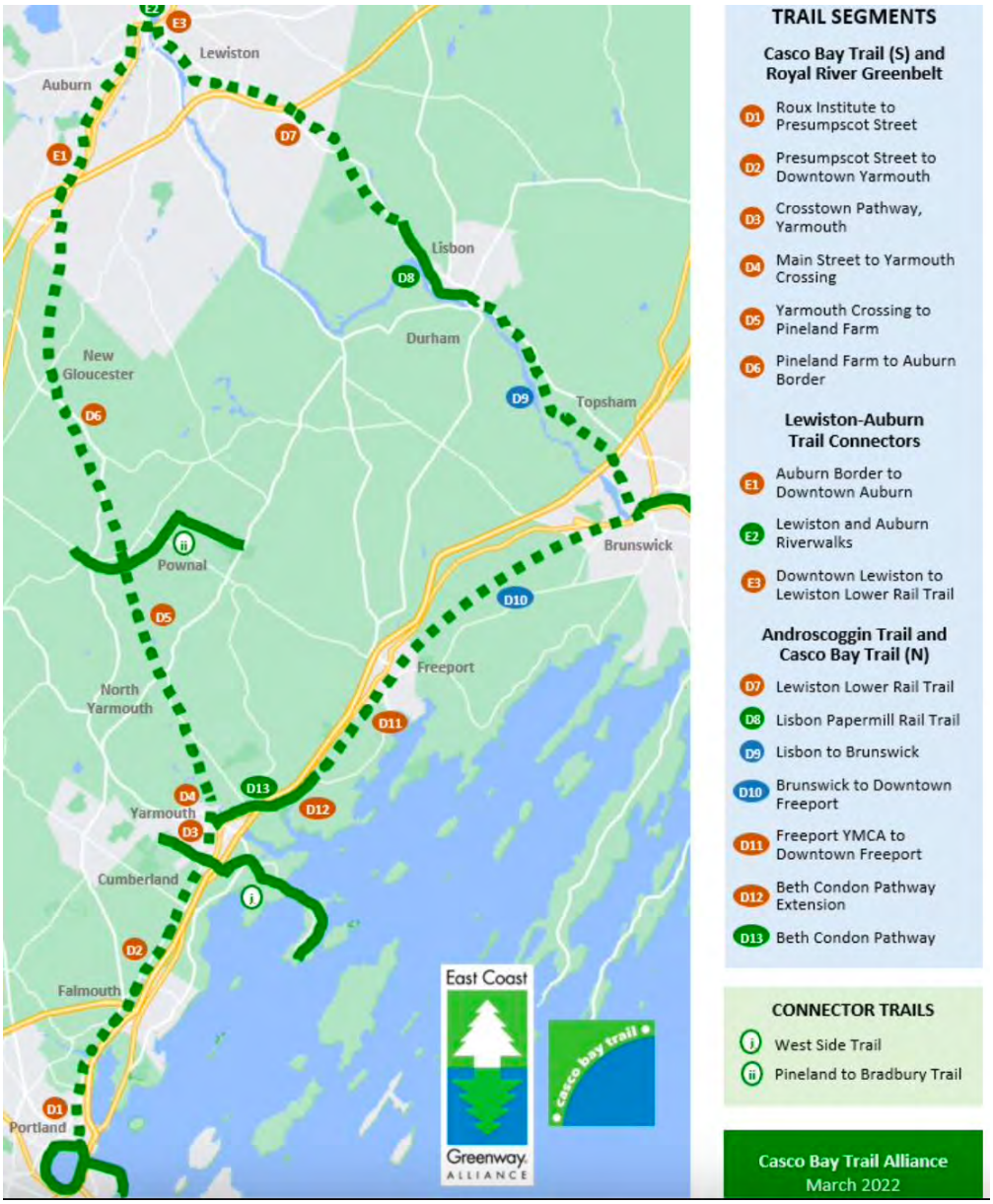
In the early to mid 2000's, MaineDOT, along with Auburn, Lewiston and AVCOG, laid out a robust plan for reestablishing passenger rail service to the region as well as making the Port of Auburn a major freight hub with improved links to the Port of Portland. A series of steps were taken in that time period to advance that, including an updated Auburn-Lewiston Airport Master Plan with siting of a passenger terminal off Kittyhawk Avenue, the permitting by MaineDOT of said passenger terminal, and the acquisition of the SLR corridor from Portland to Auburn.

During that same period, the newly acquired SLR segment was identified for its potential as a dedicated commuter transit service corridor along Interstate 295. Its proximity to key suburban exits at Yarmouth and Falmouth, with a terminus in downtown Portland, presented a unique opportunity for either future commuter rail or a dedicated bus rapid transit route that would not be impacted by growing congestion on that highway.

In the last handful of years, a movement in Maine to create long distance trails by securing rights over dedicated rights of way, like rail corridors, has gained momentum. The Casco Bay Trail Alliance, the Maine Trails Coalition, and the East Coast Greenway, have released a vision entitled the Active Transportation Arterials Plan, that includes the SLR corridor and connections into downtown Auburn (see Figure 2).

City of Auburn, Maine
Transportation Systems Director
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Figure 2

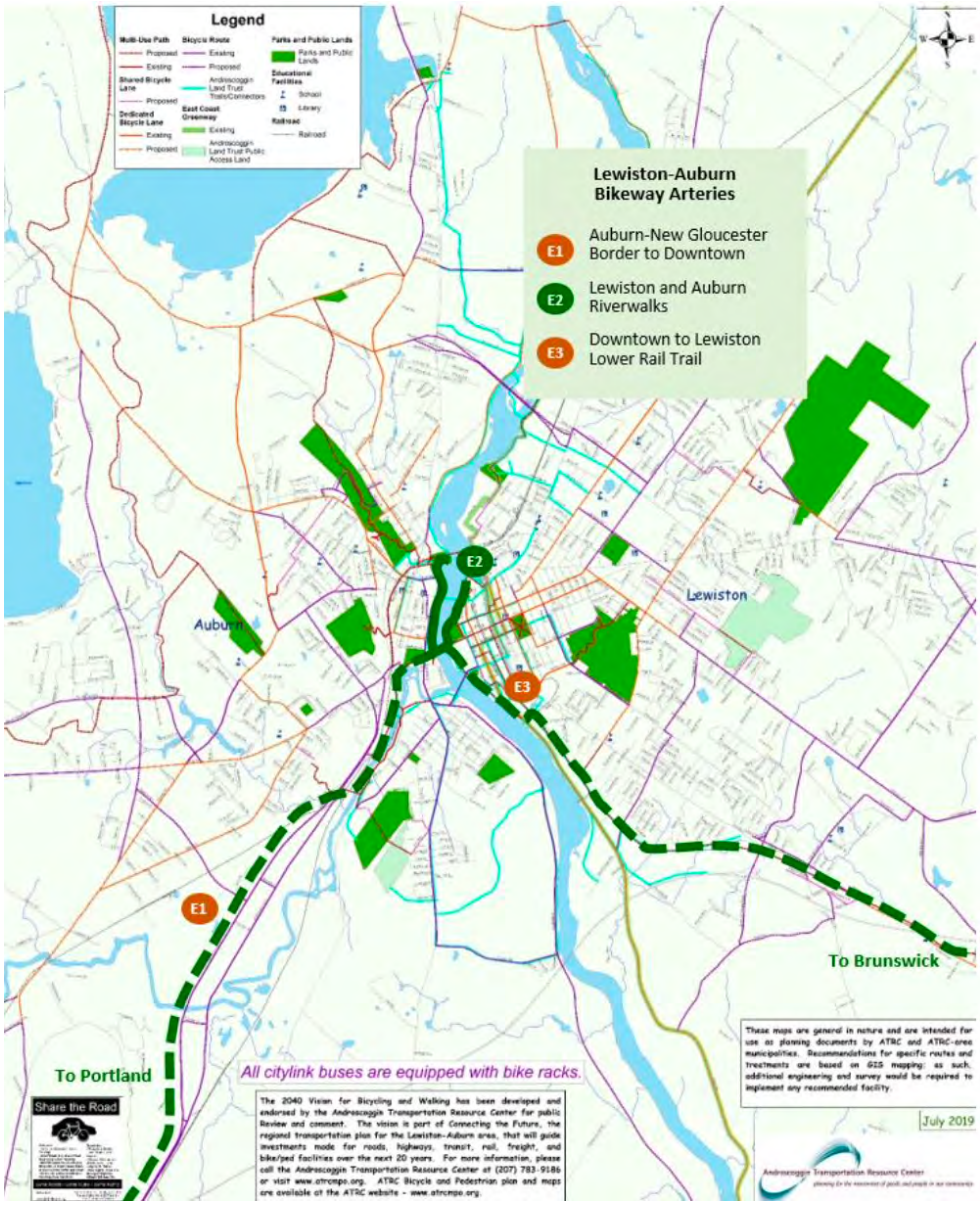


Source: Maine Trails Coalition, Active Transportation Arterials Plan (https://mainetrailscoalition.org/active-transport-arterials)

The vision put forward by the Casco Bay Trail Alliance connects from Danville Junction north into downtown Auburn and the Riverwalk system. The planned study of the Washington Street

corridor from Exit 75 to downtown would contemplate bicycle and pedestrian connections (see Figure 3).

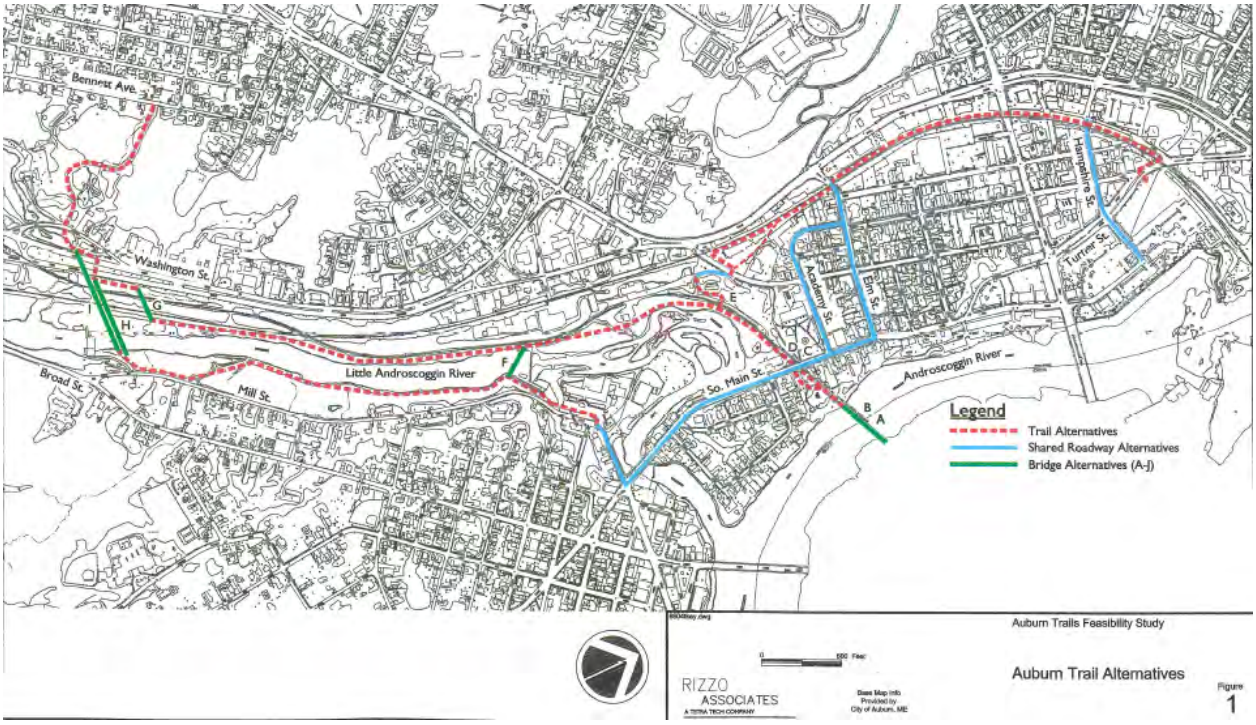
Figure 3



Source: Maine Trails Coalition, Active Transportation Arterials Plan (https://mainetrailscoalition.org/active-transport-arterials)

In 2000, Auburn completed an engineering study for extending the Riverwalk from the Trestle Bridge west and south to connect New Auburn and the neighborhoods west of Washington Street (see Figure 4).

Figure 4



Source: Rizzo Associates, Inc., "Auburn Trails Feasibility Study" (2000). *Department of Transportation (MaineDOT)*.
https://digitalcommons.usm.maine.edu/mdot-docs/1

City of Auburn, Maine
Transportation Systems Director
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Unfortunately, the more than two decades of past MaineDOT efforts around the SLR corridor for passenger and freight services have not been presented or discussed in detail. It is unclear whether MaineDOT has abandoned those plans or is deferring to those on the RUAC to set the course for the greater Portland and Auburn regions. With the phrase "future proof" being used in discussing Auburn's community growth efforts, here are some near term and long-term prospects for transportation uses of this corridor to consider.

Freight Rail

- Near Term – South of Danville Junction, it is unlikely that the municipalities between Auburn and Portland will change their zoning to support industrial or logistics-based private investment.
- Long Term – With growth at the Port of Portland, it is conceivable that international shippers would have interest in accessing Canadian markets via rail, or that large scale processing or distribution may wish to locate in Auburn (given favorable zoning) and access the Port of Auburn. There are mechanisms at the Surface Transportation Board (STB) for one railroad to securing operating rights over another railroad's corridor. This could lead to SLR servicing the Port of Portland and using the CSX line to reach the state-owned SLR corridor in Yarmouth before returning to Auburn.

Passenger/Commuter Rail or Transit Services

- Near Term – An ongoing study of the economic impacts of establishing commuter rail between Auburn and Lewiston and Portland includes use of the SLR corridor from Yarmouth to Danville. With no documented discussions between NNEPRA or MaineDOT with CSX for use of their corridor for passenger rail, reserving the state-owned SLR corridor is a necessity if the Auburn and Lewiston region wishes to see passenger rail return.
- Long Term – Outside of the intercity model of passenger service that the Downeaster provides, the state's ownership of a dedicated right of way between Auburn and Portland presents a number of opportunities. From a seasonal or excursion standpoint, a return of a "ski train" type service or the concept Montreal Hotel Train could make connections in Portland or Yarmouth and make dedicated runs north. From a commuter service perspective, the interest in higher density housing growth, in particular near Washington Street and Exit 75, could present opportunities for a direct Auburn to Portland commuter service using the SLR corridor. Such a dedicated transit corridor could never been acquired in greater Portland with today's real estate realities.

City of Auburn, Maine
Transportation Systems Director
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Active Transportation/Recreation Trail

- Near Term – Without an imminent proposal for freight and/or passenger services, trail advocates have seized a window to justify a conversion to a trail "until rail" as the only viable alternative. There are very few examples nationally of a rail corridor being converted to a trail and then reverting to rail use (given both the cost and political sensitivity)
- Long Term – There are no likely alternative corridors to make such a robust regional trail system happen between Auburn's downtown riverfront and the waterfront in downtown Portland. This use would also be a significant complement to the targeted residential and commercial growth envisions from downtown Auburn south along Washington Street.

Recommended City of Auburn Position:

Given the near term and long term economic benefits that would accrue to the City of Auburn through future freight rail activity, potential passenger services, and an active transportation (trail) corridor, a rail with trail proposal should be advanced through the RUAC process.

ORDER 157-12052022

City Council Order

IN CITY COUNCIL

ORDERED, that that City Council hereby authorizes the use of $35,000 in ARPA funds for the Auburn Heating Assistance Program, which will comply with established program guidelines and meet all ARPA rules, regulations, and guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 158-12052022

Author: Eric J. Cousens, Planning and Permitting Director

Subject: 110 Hampshire Street – Dangerous Building Public Hearing and Order

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Information: The City of Auburn staff has responded to complaints of dangerous conditions at the property over an extended period. Dangerous conditions have been confirmed to exist at the property and the owners of the property have not responded to resolve the issues.

To address the issues at the property and eliminate the dangerous conditions the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on December 5, 2022, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow.

To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

Proper notice to parties of interest have been made and supporting information is included in the attached information packet. At the meeting staff will provide a review of conditions at the property and attempts to convince the owners to remedy the dangerous conditions in order to protect the public from harm. After a public hearing the Council will be asked to review draft findings of fact and determine if an order to abate the hazardous conditions is warranted under 17 M.R.S. § 2851. The draft findings and order are provided by in the attached packet. If the property constitutes a dangerous building under 17 M.R.S. § 2851, the Council should order the abatement of the hazardous conditions within 90-days.

City Budgetary Impacts: NA

Staff Recommended Action: If the property constitutes a dangerous building under 17 M.R.S. § 2851, the Council should order the abatement of the hazardous conditions within 90-days.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Information packet for 110 Hampshire, including draft findings and Order.

110 HAMPSHIRE STREET DANGEROUS BUILDING HEARING
December 5, 2022

Good evening, Mr. Mayor and Councilors. My name is Kris Beaudoin, and I serve as the City's Code Compliance Team Leader. As part of my duties as Code Compliance Officer I am tasked with the enforcement of adopted code and ordinance compliance throughout the City of Auburn. I have served as code compliance officer for the city for approximately the last 36 months with certifications in commercial and residential building inspection, internal plumbing, and subsurface wastewater. I have a 20-year history in the implementation of safe housing enforcement with certifications in Housing Quality Standards, Uniform Physical Conditions Standards, advanced Inspections, I am a certified HUD renovation consultant, and am also a certified Veterans Administration compliance inspector for the special adaptive housing grant.

Tonight, I am tasked with explaining to the Council why City Staff has concluded that the structures located at 110 Hampshire Street in Auburn constitute "Dangerous Buildings" within the meaning of Title 17, Section 2851, of the Maine Revised Statutes. I have personally spoken with the owner of the property, I have scheduled multiple inspections of the property, and have made numerous attempts at giving the owners, Lions Real Estate LLC. the opportunity to repair the property and to put in place a plan to mitigate the safety hazards present. Over the course of approximately two years, city staff has observed continued deterioration of the structural elements of the property. As I will explain, the owner of 110 Hampshire Street has been afforded significant opportunity to prevent the buildings from becoming the imminent public safety threat that it is today, and from an enforcement standpoint, I have exhausted all other options at my disposal for the removal or mitigation of this threat. That is why we are here tonight, I am asking you to render an order that all structures located at 110 Hampshire Street be declared dangerous buildings within the meaning of the statute, and that you order the structures to be demolished within 90 days.

1. **Background on the property:**

A. Property Details:

110 Hampshire Street is a rectangle shaped parcel consisting of .16 acres sitting on the corner of Hampshire and Willows Street. The property consists of one principal structure which serves as a nine-unit multifamily building.

B. Ownership of the Property and Identification of Parties-in-Interest:

Before preparing the notices of tonight's hearing, the City attorney conducted a search of the Registry of Deeds to verify ownership of this property. That search discovered that Lions Real Estate LLC. acquired the Property by Warranty Deed on February 7, 2019. The deed of conveyance is recorded at Book 10028, Page 126, in the Androscoggin County Registry. The

mortgage identifies Lions Real Estate LLC of P.O Box 3403, Auburn Maine 04210, as the mailing address of the interested parties to this hearing. Please reference Exhibit 1 for notification of service.

The owner of the property has been given notice of tonight's hearing, and at tonight's hearing, they are being given an opportunity to be heard.

C. Summary of the dangerous building statute's legal standard and remedies permitted.

The legal standard you are asked to apply is contained in Title 17 of the Maine Revised Statutes, Section 2851, and the following sections. Section 2851 defines a "Dangerous Building" as one which the municipal officers deem to be "structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property." If the municipal officers make such a determination, they may, "after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure," up to and including the demolition of the structure.

I have found that the condition of the building located at 110 Hampshire Street satisfies those criteria. If you agree, we request that the Council order Lions Realty LLC to demolish the building within 90 days. If the Building is not demolished within 90 days, we ask that the City be authorized to conduct the demolition and to assess a special tax against the property in order to recoup the City's costs and expenses, as permitted by the statute. If you designate such a nuisance and/or order it removed by the owner, State law requires that the City "shall cause said nuisance to be abated or removed in compliance with" your order, and all expenses of the City incurred in connection with this removal, including costs of title searches, service of process, costs incurred in securing the structures pending removal, and all other costs incurred by the City which are reasonably related to the removal of the structure, shall be paid by the owner and may be assessed as a special tax against the property.

A. History of the City's Enforcement Actions and Interactions with this Property.

II. Review affidavit

In conclusion, the structure at 110 Hampshire Street qualifies as dangerous building pursuant to 17 M.R.S. § 2851. It is unsuitable and improper for use as a residential dwelling unit (or other uses) due to significant deterioration of structural elements as defined in Sec 12-146 of the city ordinance, ongoing lack of maintenance, as well as structural damage. This constitutes a hazard to health and safety of our neighborhoods and community members because of the inadequate maintenance, dilapidation, and obsolescence. Lions Real Estate LLC

clearly have an inability or an unwillingness to remediate the dangerous conditions at this property despite being afforded extensive opportunity to do so.

Therefore, City Staff is requesting that you adopt the proposed findings of fact and conclusions of law that we have provided tonight. We request that you designate all structures at 110 Hampshire Street as dangerous building, that you order Lions Real Estate LLC. to demolish them within 90 days of the date of your order (which would be March 5, 2023, assuming you act tonight). We also request an order of authorization to schedule a demolition in the event the owner does not remove the buildings within 90 days.

EXHIBIT

1

Bk 10028 Pg126 #2302
02-12-2019 @ 11:04a

NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

STATUTORY WARRANTY DEED

NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

That **Miacomet Private Equity, LLC**, a Maine Limited Liability Company with a principal place of business in Boston, County of Suffolk and Commonwealth of Massachusetts and a mailing address of 16 Gray Street, Unit 6, Boston, MA 02115

For Consideration Paid, GRANT with WARRANTY COVENANTS TO:

Lions Real Estate, LLC, a Maine Limited Liability Company with a principal place of business in Minot, County of Androscoggin and State of Maine, with a mailing address of **P.O. Box 3403, Auburn, ME 04210**

MAINE REAL ESTATE TRANSFER TAX PAID

Certain lots or parcels of land, with the buildings and improvements thereon, situated in the Town/City of **Auburn and Lewiston**, County of **Androscoggin** and State of Maine, bounded and described in Exhibit A annexed hereto and made a part hereof.

This conveyance is made SUBJECT to the current real estate taxes to the Town/City of Auburn and Lewiston, subject to prorations at the closing, which the Grantee herein by its acceptance of this deed hereby assume and agree to pay.

IN WITNESS WHEREOF, Miacomet Private Equity, LLC has caused this instrument to be executed by David Hall, its Authorized Member thereunto duly authorized this 7th day of February, 2019.

Miacomet Private Equity, LLC

BY: _____

David Hall, its Authorized Member

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF SUFFOLK

Date: February 7th, 2019

Then personally appeared the above-named **David Hall, Authorized Member of Miacomet Private Equity, LLC** and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

STEPHEN P GRIFFIN NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS MY COMM. EXPIRES AUGUST 29, 2025

Before me,

_____
Notary Public
Print Name: STEPHEN P. GRIFFIN
My Commission Expires: 8/29/25

NOT AN OFFICIAL COPY

EXHIBIT A

NOT AN OFFICIAL COPY

110 Hampshire Street, Auburn

A certain lot or parcel of land, with any buildings thereon, situated in Auburn, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at a point in the southerly line of Hampshire Street fifty (50) feet westerly from the center of a cedar post marking the division between land now or formerly of Sarah W. Mitchell and land now or formerly of one Whittier; thence westerly along said southerly line of said Hampshire Street, seventy (70) feet, more or less, to the easterly line of Willow Street; thence southerly along said easterly line of Willow Street one hundred and six (106) feet, more or less, to land now or formerly of one Record; thence easterly along the line of said Record's land seventy (70) feet, more or less, to a point where a line drawn from the point of beginning, parallel with the westerly line of said Whittier land would intersect the southerly line of said Mitchell Land; thence northerly ninety (90) feet, more or less, to the point of beginning.

Being a portion of the premises conveyed to the Grantor herein by deed of Rob A. Labarbera dated December 31, 2012 and recoded in said Registry of Deeds in Book 8576, Page 25.

227-229 Blake Street, Lewiston

A certain lot or parcel of land, with the buildings thereon, in Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at a point on the westerly side of Blake Street three hundred fifty (350) feet northerly from the northerly line of Maple Street; thence running westerly at a right angle with said westerly line of Blake Street and by the northerly line of a lot now or formerly of William R. Frye one hundred (100) feet; thence northerly at a right angle fifty (50) feet; thence at a right angle easterly one hundred (100) feet to Blake Street; thence southerly by said Blake Street fifty (50) feet to the point begun at.

Being the same premises conveyed to the Grantor herein by deed of Deblane Corp. dated December 31, 2012 and recorded in said Registry of Deeds in Book 8574, Page 290.

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
REQUESTED BY (RG).....
SURNAME/GIVEN NAME.....LIONS REAL ESTATE
TYPES OF NAMES.....GRANTEES
DOC TYPES.....*ALL
INDEX DATES...Jan 1,1965 thru Nov 16, 2022 #21734 @ 09:27

RECORDED LAND BY NAME

TINA M. CHOUINARD
INQUIRY PRINT REQUEST
PRINTED: 11/16/22 10:00:08
TOWN: AUB
ALL YEARS BY NAME

DATE/TIME OF RECEPTION	SURNAME GIVEN NAME	REVERSE PARTY	BOOK-PAGE	DOC TYPE	LOCATION	DOCUMENT DATE	DOC #	VFY
*** GRANTEES ***								
	LIONS REAL ESTATE LLC							
02-12-2019 11:04:55a	SAME	MIACOMET PRIVATE EQUIT	10028	126	DEED AUBURN 110 HAMPSHIRE STREET	02-07-2019	2302	Y
		AUBURN						
01-03-2022 8:30:32a	SAME	AUBURN CITY OF	10990	305	DIS AUBURN 10413/285	12-30-2021	42	Y
		AUBURN			110 HAMPSHIRE STREET			
04-11-2022 1:03:14p	SAME	AUBURN WATER DISTRICT	11076	253	DIS AUBURN 10358/45	04-07-2022	6461	Y
04-11-2022 1:03:14p	SAME	AUBURN SEWERAGE DISTRI	11076	255	DIS AUBURN 10358/51	04-07-2022	6463	Y
07-01-2022 8:31:34a	SAME	AUBURN CITY OF	11147	301	DIS AUBURN 10789/69	06-30-2022	12823	I
		AUBURN			110 HAMPSHIRE STREET			

------ RUN TOTALS ------
0 GRANTORS LISTED
5 GRANTEES LISTED

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
REQUESTED BY (RG).....
SURNAME/GIVEN NAME.....LIONS REAL ESTATE
TYPES OF NAMES.....GRANTORS
DOC TYPES.....*ALL
INDEX DATES...Jan 1,1965 thru Nov 16, 2022 #21734 @ 09:27

RECORDED LAND BY NAME

TINA M. CHOUINARD
INQUIRY PRINT REQUEST
PRINTED: 11/16/22 9:58:16
TOWN: AUB
ALL YEARS BY NAME

DATE/TIME OF RECEPTION	SURNAME GIVEN NAME	REVERSE PARTY	BOOK-PAGE	DOC TYPE	LOCATION	DOCUMENT DATE	DOC #	VFY
*** GRANTORS ***								
	LIONS REAL ESTATE LLC							
02-12-2019 11:04:55a	SAME	LOSU LLC	10028 128	MORT	AUBURN 110 HAMPSHIRE STREET	02-11-2019	2303	Y
			AUBURN					
02-12-2019 11:04:55a	SAME	LOSU LLC	10028 166	ASMT	AUBURN 100 HAMPSHIRE STREET	02-11-2019	2304	Y
			AUBURN					
04-30-2020 11:34:22a	SAME	AUBURN WATER DISTRICT	10358 45	LIEN	AUBURN 110 HAMPSHIRE STREET	04-27-2020	7068	Y
			AUBURN					
04-30-2020 11:34:22a	SAME	AUBURN SEWERAGE DISTRI	10358 51	LIEN	AUBURN 110 HAMPSHIRE STREET	04-21-2020	7074	Y
			AUBURN					
07-02-2020 9:33:29a	SAME	AUBURN CITY OF	10413 285	LIEN	AUBURN 110 HAMPSHIRE STREET	07-02-2020	12033	Y
			AUBURN					
06-29-2021 8:34:06a	SAME	AUBURN CITY OF	10789 69	LIEN	AUBURN 110 HAMPSHIRE STREET	06-28-2021	14120	Y
			AUBURN					
07-01-2022 8:30:00a	SAME	AUBURN CITY OF	11147 153	LIEN	AUBURN 110 HAMPSHIRE STREET	06-30-2022	12675	I
			AUBURN					

------ RUN TOTALS ------
7 GRANTORS LISTED
0 GRANTEES LISTED

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Thu Feb 10 2022 16:02:49. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
LIONS REAL ESTATE, LLC	20187264DC	LIMITED LIABILITY COMPANY (DOMESTIC)	ADMINISTRATIVELY DISSOLVED

Filing Date	Expiration Date	Jurisdiction
06/20/2018	N/A	MAINE

Other Names **(A=Assumed ; F=Former)**

NONE

Clerk/Registered Agent

ALEXANDREA E. SAVARD
PO BOX 3403
AUBURN, ME 04210

Back to previous screen | New Search

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Obtain additional information:

Additional Addresses — Plain Copy — Certified copy

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our Feedback page.

© Department of the Secretary of State

EXHIBIT
2

CITY OF AUBURN
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
17 M.R.S. §§2851-59
110 Hampshire Street, Auburn, Maine
Dangerous Buildings

On 11-17, 2022, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Alexandrea Savard, by service in hand at 46 Valley St Auburn ME

Jason Chalaire
Print Name:
Androscoggin County Sheriff's Department

Date: 11-17-22

47.00

EXHIBIT
3

Bk 11254 Pg130 #21792
11-16-2022 @ 02:42p

NOTICE OF HEARING ON DANGEROUS BUILDING
17 M.R.S. § 2851, *et seq.*
Property Address: 110 Hampshire Street, Auburn, Maine
Book 10028, Page 126

November 16, 2022

LIONS REAL ESTATE LLC
c/o ALEXANDREA SAVARD
46 VALLEY STREET
AUBURN, ME 04210

RE: 110 HAMPSHIRE STREET– NOTICE OF HEARING ON DANGEROUS BUILDING

Dear Sir or Madam:

You are hereby notified that the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on December 5, 2022, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow. You have the right to attend that hearing and to be heard. If you fail to do so, you may be deemed to have waived your right to further review or to be heard at a later date.

Sincerely,

Alison F. Pepin

Alison Pepin, Deputy City Clerk
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601

STATE OF MAINE
ANDROSCOGGIN,ss

November 16, 2022

ACKNOWLEDGMENT

Personally appeared before me, Alison Pepin, Deputy City Clerk for the City of Auburn, and acknowledged that the foregoing Notice of Hearing is her free act and deed and the free act and deed of the City of Auburn, in her said capacity.

Print Name: Jazzmynn S. Kieffer
Notary Public
My Commission Expires: September 6, 2029

TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

EXHIBIT

4

AFFIDAVIT OF KRIS BEAUDOIN

I, Kris Beaudoin, being duly sworn, state the following based upon my personal knowledge:

1. I am a Code Enforcement Officer for the City of Auburn, Maine (the "City").

2. In connection with that position, I enforce housing code and ordinances.

3. In the course of my duties for the City, I have become familiar with the property owned by Lions Real Estate LLC and located at 110 Hampshire Street (the "Hampshire Street property") within the City limits.

4. The City has received numerous complaints regarding the condition of the Hampshire Street property.

5. As I will describe in more detail below, the structural elements of the Hampshire Street Property have not been maintained in a manner that is hazard free and suitable for the intended use and pose an immediate and serious threat to public health, safety, and welfare.

6. As I will describe in more detail below, the plumbing facilities of the Hampshire Street Property have not been maintained in good sanitary working condition and constitute a serious threat to public health and safety.

7. As I will describe in more detail below, the heating and ventilation system of the Hampshire Street Property has not been maintained in safe operating condition and constitute a serious threat to public health and safety and welfare.

8. The electrical and lighting of the Hampshire St Property has not been maintained in good, safe, and suitable electrical order and constitutes an immediate threat to public health, safety and welfare as described below.

9. In recent months, I have personally observed the structural elements of the property deteriorate, to the point that the Hampshire Street Property poses a serious and immediate safety hazard for the occupants of the building, the neighborhood, and the general public. The following is a brief summary of complaints I have personally received and discussed with the owner of the Hampshire Street Property.

SPECIFIC COMPLAINTS AND FAILURE TO ADDRESS PROPERTY CONDITIONS

10. On June 29, 2020, I received a complaint via email regarding maintenance issues within one of the apartments. I spoke with Alexandrea Savard, who confirmed to me that she is the owner of Lions real estate LLC, that same day we made a verbal agreement that

she would repair the property. Attached as **Exhibit 7** is the email I received notifying me of the complaint.

11. On July 23, 2020, I received a voicemail regarding the complaint filed on June 29, 2020, making me aware that the repairs were never made.

12. On August 4, 2020, I received a phone call regarding the June 29, 2020, complaint, and I sent an email to Alexandrea Savard owner of Lions Real estate LLC. A true copy of which is attached as **Exhibit 8.**

13. On September 14, 2020, I received an anonymous voicemail regarding trash & debris being allowed to accumulate around the building and other concerns regarding the condition of the structure. I followed up with a phone call with Peter Ntarugera, a representative of Lions Real Estate LLC and requested an inspection of the building. The Inspection was scheduled for September 25, 2020.

14. On September 25, 2020, I received an email canceling the inspection at the request of Lions Real Estate LLC and rescheduling it for September 30, 2020. Attached as **Exhibit 9** is the email I received rescheduling the inspection.

15. On September 30, 2020, I visited the Hampshire Street Property with Eric Cousens, the Director of Planning & Permitting, for the scheduled inspection. After waiting for a few minutes, I called Peter Ntarugera, a representative of Lions Real Estate LLC who informed me he would not be showing up but did give permission to walk on the property. At that time, I viewed the Hampshire Street Property from the road and driveway, and I observed significant deterioration of the structural elements and debris scattered about. For example, the porches which are a second means of egress for some of the units were in disrepair; there were holes in the side of the building exposing the framing; I noticed the roofing materials were deteriorated and an excess amount of trash was allowed to build up under the porches. Attached as **Exhibit 10** are photographs that I took of the Hampshire Street Property during this inspection.

16. On October 2, 2020, I issued Lions Real Estate LLC a Notice of Violation for the conditions I observed at my September 30, 2020, inspection, a true and accurate copy of which is attached as **Exhibit 11.**

17. On October 20, 2020, I again visited the Hampshire Street Property to observe whether the substandard conditions cited in my October 2, 2020 Notice of Violation had been cured. Based upon my personal observations that day, I concluded the cited violations and dangerous conditions persisted. In fact, no apparent effort had been made to mitigate these conditions therefore, I issued Lions Real Estate LLC the First Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit 12.**

18. On November 9, 2020, I visited the Hampshire Street Property to verify whether the conditions referenced in my prior citation had been cured. I observed no change from the previous notice. On that day I issued Lions Real Estate LLC the Second Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit 13.**

19. On November 25, I visited the Hampshire Street Property following up on the previous citation and observed no change in the condition of the property. On that day I issued Lions Real Estate LLC the Third Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit 14.**

20. On February 17, 2021, I visited the Hampshire Street Property and observed no change in the condition of the property. I issued Lions real Estate LLC the Fourth Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit 15**.

21. On February 18, 2021, Alexandrea Savard applied for a building permit application for the purpose of making repairs to the Hampshire Street Property. Attached as **Exhibit 16** is the copy of her application I received by email.

22. On February 18, 2021, I responded to Ms. Savard's request and informed her that the application for that the application for a building permit did not demonstrate an intention to repair all of the substandard conditions that I repeatedly cited in my notices and citations to her. Attached as **Exhibit 17** is the email I sent.

23. On March 4, 2021, I received notification via email that an in-office representatives of the City had scheduled a meeting to be held with an in Lions Real Estate LLC. Through my conversations and correspondence with my colleagues, I was made aware that that the purpose of this meeting was to discuss the ongoing code violations at the Hampshire Street Property, and that the meeting had been requested by the property owner, Lions Real Estate LLC. The meeting was scheduled for March 8, 2020, at 11:00 am. On March 8, 2021. Attached as **Exhibit 18** is the email I received

24. I attended the meeting scheduled for March 8, 2021. Representatives for Lions Real Estate LLC did not appear. To the best of my knowledge and belief, the property owner did not attempt to reschedule. this meeting.

25. On April 5, 2021, I received another building permit application from Ms. Savard, purporting to seek permission to repair the Hampshire Street Property. However, the application was incomplete as it did not include payment of the permit fee, nor did it include required construction documents. describing the scope of the work to be performed. Attached as **Exhibit 19** is a true and accurate copy of the email and attachment I received

26. On April 24, 2021, I sent an email request to Ms. Savard, requesting that she provide more details regarding her recent permit application. Attached as **Exhibit 20** is a copy of the email I sent. To the best of my recollection and knowledge, she never responded or provided the requested information.

27. On July 20, 2021, I received an email from Ms. Savard, in which she described receiving a threat from one of her tenants to call the City's code enforcement office in the context of a landlord-tenant dispute. I informed her that if a complaint came in, we would need to conduct an inspection, I also made her aware that I still needed construction documents for the permit that was sought in April of 2020. Attached as **Exhibit 21** is the email correspondence for that communication.

28. On August 18, 2021, I received an email from Lions Real Estate with some construction documents apparently indicating an intention repair or replace the porch at the Hampshire Street Property. Attached as **Exhibit 22** is the email I received with the attachments.

29. On January 21, 2022, a meeting was scheduled with Ms. Savard for January 27, 2022. Attached as **Exhibit 23** is the email scheduling the meeting.

30. On January 27, 2022, a meeting took place in the community room at city hall to discuss the ongoing violations at The Hampshire Street Property. Those in attendance included Ms. Savard, Michael Fox, Eric Cousens, Cy Wilkinson, and Kris Beaudoin. At that meeting, Ms. Savard was informed that The City needed a documented plan of action that provided a timetable to repair the health and safety hazards of the Hampshire Street Property.

31. On February 1, 2022, I received an email from Alex Savard regarding the installation of an engineered beam otherwise referred to as an LVL at 110 Hampshire Street. The installation of this support beam is to restore the structural integrity of the property. Properly sized beams and LVL's are necessary components to carry and distribute load, failure of a beam often results catastrophic failure of the components it supports and can be conducive to injury and in some cases death. Attached as **Exhibit 24** is the email I received.

32. On March 1, 2022, I sent an email to Alex Savard requesting information that was not previously sent. Attached as **Exhibit 25** is the email I sent and the subsequent reply.

33. On April 12, 2022, I visited 110 Hampshire Street at the request of Michael Fox the contractor to verify that work for the support beam had been completed appropriately. During the inspection it was observed that the work had been covered and what was exposed was not sufficient.

34. On April 15, 2022, I revisited 110 Hampshire Street at the request of Michael Fox. During that visit I was able to view the work that had been completed. Because the area in question was uncovered it was observed that the new components were attached to completely deteriorated framing. Mr. Fox was contacted immediately to be made aware of the findings.

35. On August 30, 2022, I visited the property to conduct and inspection with Cy Wilkinson Code Compliance Officer for the City of Auburn, Jennifer Dick, Code compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. During this inspection, I was provided access to two occupied units and two vacant units, and the common areas associated with those units. During the inspection I observed exposed wiring, missing smoke detectors, deteriorated flooring, missing/damaged handrails, loose decking, and railings on the rear egress. It was also observed at that time that the deteriorated roof had been repaired.

36. On September 1, 2022, I visited the property to conduct and inspection with Cy Wilkinson Code Compliance Officer for the City of Auburn, Jennifer Dick, Code compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. During the inspection, significant deficiencies were observed including but not limited to; numerous stained ceiling tiles which indicates water leaking or moisture intrusion, holes in walls, rotting bathroom floors, broken windows, exposed electrical components and missing smoke detectors which are an immediate threat to health and safety, exposed wall cavities with active leaks causing deterioration of structural components, infestation, an abandoned oil tank in the basement, signs of unpermitted plumbing, and other deficiencies listed in the original Notice of Violation and subsequent Citations for instance, deteriorated porches which are a second means of egress, rotting substrate/framing etc. Attached as **Exhibit 26** are notes that I took of the Hampshire Street Property at that time.

37. As a result of the conditions described above, I believe that Lions Real Estate LLC. has no intention or means of making necessary repairs to the Hampshire Street Property, and that as a result of these conditions which have persisted for over 2 years despite repeated citations, notices and inspections, the Hampshire Street Property poses an immediate and serious threat to the health, safety, and welfare of any occupant of the property as well as the public, including without limitation, any first responders who may be required to enter the premises.

Dated: November 30, 2022

Kris Beaudoin

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

November 30 2022

Personally, appeared the above-named Kris Beaudoin and made oath that the foregoing statements are true to the best of his knowledge and belief.

Tammy Thatcher
Notary Public/Attorney at Law
Print Name:

TAMMY THATCHER
Notary Public-Maine
My Commission Expires
March 13, 2024

EXHIBIT
5

AFFIDAVIT OF CY WILKINSON

I, Cy Wilkinson, being duly sworn, state the following based upon my personal knowledge:

1. I am a Code Enforcement Officer for the City of Auburn, Maine (the "City").

2. In connection with that position, I enforce housing code and ordinances.

3. In the course of my duties for the City, I have become familiar with the property owned by Lions Real Estate LLC and located at 110 Hampshire St (the "Hampshire Street property") within the City limits.

4. The City has received numerous complaints regarding the condition of the Hampshire Street property.

5. As I will describe in more detail below, the structural elements of the Hampshire Street Property have not been maintained in a manner that is hazard free and suitable for the intended use, and pose an immediate and serious threat to public health, safety, and welfare.

6. As I will describe in more detail below, the plumbing facilities of the Hampshire Street Property have not been maintained in good sanitary working condition, and constitute a serious threat to public health and safety.

7. As I will describe in more detail below, the heating and ventilation system of the Hampshire Street Property has not been maintained in safe operating condition, and constitute a serious threat to public health and safety and welfare.

8. The electrical and lighting of the Hampshire St Property has not been maintained in good, safe, and suitable electrical order and constitutes an immediate threat to public health, safety and welfare as described below.

9. In recent months, I have personally observed the structural elements of the property deteriorate, to the point that the Hampshire Street Property poses a serious and immediate safety hazard for the occupants of the building, the neighborhood, and the general public. The following is a brief summary of complaints I have personally received and discussed with the owner of the Hampshire Street Property.

SPECIFIC COMPLAINTS AND FAILURE TO ADDRESS PROPERTY CONDITIONS

10. On December 19, 2021 I received a call from Stardust Chase, a concerned tenant at the Hampshire Street property in apartment #3 regarding exposed electrical wires, missing fire alarms, and no floor covering in her apartment. We schedule an inspection for the following day December 20, 2021 at 9:00am.

11. On December 20, 2021, Eric Cousens, Director of Planning and Permitting and I conducted an exterior inspection of the Hampshire Street property to follow up on an existing citation for case 1847-2020. We also conducted the inspection of Apartment #3 as scheduled the day before with Stardust Chase. During the inspection we observed broken railings and guards on secondary egress, broken windows, pealing and chipping paint, exposed deteriorating structural elements, missing siding, water intrusion, exposed wires, missing faceplates to outlets and switches, missing smoke detectors, and no floor covering. Attached as **Exhibit** 5 is the scheduled inspection and findings/pictures taken that day.

12. On December 20, 2021, I issued Lions Real Estate LLC the fifth citation for case 1847-2020 for the conditions I observed, a true and accurate copy of which is attached as **Exhibit 28.**

13. On December 21, 2021 I issued Lions Real Estate LLC a new Notice of violation regarding the interior housing conditions I observed on December 20, 2021. A true accurate copy of which is attached as **Exhibit 29.**

14. On January 20, 2021 I received an email from Alexandrea Savard stating they have a plan for the repairs and want to meet to go over the plan they had made. Attached as **Exhibit 30** is the email from Alexandrea Savard.

15. On January 21, 2022, a meeting was scheduled with Alexandrea Savard for January 27, 2022 to go over her plan for the repairs. Attached as **Exhibit 31** is the email scheduling the meeting.

16. On January 27, 2022, a meeting took place in the community room at city hall to discuss the ongoing violations at 110 Hampshire St. Those in attendance included Alexandrea Savard, Michael Fox, Eric Cousens, Kris Beaudoin, and Cy Wilkinson.

17. On August 30, 2022, I visited the property to conduct an inspection with Kris Beaudoin Code Compliance Officer Team Lead for the City of Auburn, Jennifer Dick, Code compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. During this inspection, I was provided access to two occupied units and two vacant units, and the common areas associated with those units. During the inspection I observed exposed wiring, missing smoke detectors, deteriorated flooring, missing/damaged handrails, loose decking, and railings on the rear egress. It was also observed at that time that the deteriorated roof had been repaired.

18. On September 1, 2022, I visited the property to conduct and inspection with Kris Beaudoin Code Compliance Officer Team Lead for the City of Auburn, Jennifer Dick, Code compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. During the inspection, significant deficiencies were observed, Attached as **Exhibit 32** are photographs that I took of the Hampshire Street Property at that time.

19. As a result of the conditions described above, I believe that Lions Real Estate LLC. has no intent of making necessary repairs to the Hampshire Street Property, and that the lack of actions constitutes a nuisance in violation of the City ordinances and state law.

20. Based upon these circumstances, Lions Real Estate LLC's inaction to properly maintain the Hampshire Street property is in such a manner as to be unsightly, detracting from the natural scenery, injurious to the happiness of individuals and the public, and injurious to the property rights of the occupants of the structure, the abutters and of the citizens of Auburn.

Dated: November 29, 2022

Cy Wilkinson

STATE OF MAINE

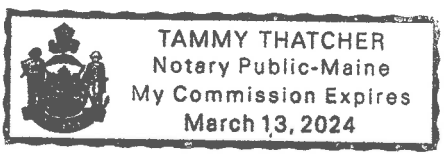
COUNTY OF ANDROSCOGGIN

November 29, 2022

Personally, appeared the above-named Cy Wilkinson and made oath that the foregoing statements are true to the best of his knowledge and belief.

Notary Public/Attorney at Law

Print Name:



EXHIBIT

6

AFFIDAVIT OF JENNIFER DICK

I, Jennifer Dick, being duly sworn, state the following based upon my personal knowledge:

1. I am a Code Enforcement Officer for the City of Auburn, Maine (the "City").

2. In connection with that position, I enforce Housing code and ordinances.

3. In the course of my duties for the City, I have become familiar with the property owned by Lions Real Estate LLC and located at 110 Hampshire St (the "Hampshire Street property") within the City limits.

4. The City has received numerous complaints regarding the condition of the Hampshire Street property.

5. As I will describe in more detail below, the structural elements of the Hampshire Street Property have not been maintained in a manner that is hazard free and suitable for the intended use and pose an immediate and serious threat to public health and safety.

6. As I will describe in more detail below, the plumbing facilities of the Hampshire Street Property have not been maintained in good sanitary working condition,

7. As I will describe in more detail below, the heating and ventilation system of the Hampshire Street Property has not been maintained in safe operating condition and pose an immediate and serious threat to public health and safety and welfare.

8. The electrical and lighting of the Hampshire St Property has not been maintained in good, safe, and suitable electrical order and constitutes an immediate threat to the public health, safety, and welfare, as described below.

9. In recent months, I have observed the structural elements of the property deteriorate to the point that the Hampshire Street Property poses a serious and immediate safety hazard for the occupants of the building, the neighborhood, and the general public.

10. On August 30, 2022, I visited the property to conduct and inspection with Team Leader Code Compliance Officer Kris Beaudoin for the City of Auburn, Cy Wilkinson Code Compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. I was provided access to two occupied units and two vacant units, and the common areas associated with those units. During the inspection I observed exposed wiring, missing smoke detectors, deteriorated flooring, missing/damaged handrails, loose decking, and railings on the rear egress. It was also observed at that time that the deteriorated roof had been repaired.

11. On September 1, 2022, I visited the property to conduct and inspection with Team Leader Code Compliance Officer Kris Beaudoin for the City of Auburn, Cy Wilkinson Code Compliance Officer for the City of Auburn, David O'Connell the Fire Prevention Officer for the City of Auburn and Charlie DeAngelis, the Electrician for the City of Auburn. During the inspection, significant deficiencies were observed including but not limited to; numerous stained, missing ceiling tiles which indicates water leaking or moisture intrusion, holes in walls, rotting bathroom floors, broken windows, exposed electrical components and missing smoke detectors which are an immediate threat to health and safety, exposed wall cavities with active leaks causing deterioration of structural components, an abandoned oil tank in the basement, signs of unpermitted plumbing, and other deficiencies listed in the original Notice of Violation and subsequent Citations for instance, deteriorated porches which are a second means of egress, rotting substrate/framing etc. Attached as **Exhibit** 33 are photographs that I took of the Hampshire Street Property at that time.

Dated: November 29, 2022

Jennifer Dick

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

November 29, 2022

Personally, appeared the above-named Jennifer Dick and made oath that the foregoing statements are true to the best of his knowledge and belief.

Notary Public/Attorney at Law
Print Name: _____

TAMMY THATCHER
Notary Public-Maine
My Commission Expires
March 13, 2024

EXHIBIT

7

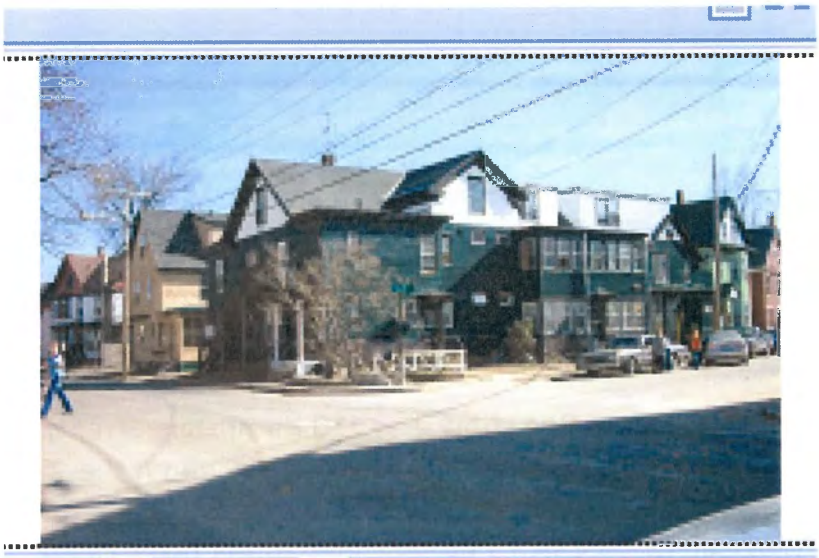
Kris Beaudoin

From: Rhonda Russell
Sent: Monday, June 29, 2020 2:15 PM
To: Kris Beaudoin
Cc: David O'Connell
Subject: 17 Willow St (110 Hampshire) Complaint

Kris,
I received a call from Dan Gallagher regarding 17 Willow Street (we know it as 110 Hampshire Street). He said his mother lives there and has complained to the landlord, Lions Real Estate, LLC about the ceiling leaking upstairs. The landlord said they would fix it but never have and now the ceiling is sagging from the pressure of all the rain water. Dan said there's also a bedbug infestation there so his mom who just had surgery cannot lie down in the bedroom because of that.

Dan can be reached at 899-8019

Thank you!



Street: HAMPSHIRE ST City: AUBURN Owner: LIONS REAL ESTATE LLC User A

#: 110 Show: All All Primary Bl

Location Owner

Print This Year Only

CMP - Complete Bldg: 1 Of 1 Activity Permits Transfers

emptions Transfers Permits Activity LookupGrid

Closed Locked

Account Type:

Imp/Vac/YI: Improved - Improved

Neighborhood: GB8 - MISC BUS

Market Area:

Unit Type:

District Code: AUBURN -

Appraisal Area:

Sales Informati

Legal Ref: 1002

Date: 2/7/

Grantor: MIA

Validity: PEX

Legal Ref: 857

Date: 12/3

Grantor: LAB

Validity: PKG

Owner (1 of 1)

LIONS REAL ESTATE LLC
PO BOX 3403
AUBURN, ME 04210

Valuation Infor

Appraised: In

Calc Area:

Total Land:

Ag Credit:

Land:

Building:

Yard:

Total:

Assessed:

Land:

Building:

Yard:

RA, ROB

Narrative Building Info

This parcel contains 0.16 AC of land mainly classified as MULTI FAMILY with a MULTI-CONV Building built about 1931, having primarily ASBESTOS Exterior and 6,619 Square Feet, with 9 Residential Units, 9 Baths, 36 Rooms, and 15 Bdrms.

Rhonda M Russell
Administrative Assistant | Economic and Community Development, City of Auburn
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1158

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

EXHIBIT

8

Kris Beaudoin

From: Kris Beaudoin
Sent: Tuesday, August 04, 2020 3:07 PM
To: savardalexandrea5@gmail.com
Subject: 110 Hampshire St

Alex,

I have been receiving complaints regarding 110 Hampshire St #3 and have been speaking with Peter regarding the plumbing leaks and lack of water and was assured that this would be taken care of over a week ago. Again today I received another call about the water issue and the leaking and was made aware that others in the building are having similar issues. Please contact me ASAP so we can discuss these calls.

Best Regards

Kris R. Beaudoin
Code Compliance Officer, LPI
Office of Economic & Community Development
City of Auburn
60 Court Street Ste 104
Auburn, Me. 04210
kbeaudoin@auburnmaine.gov
Phone: 207-333-6601 Ext. 1150
www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

EXHIBIT

9

110 Hampshire St Building inspection Peter 513-0219 10:00

Accept Tentative Decline

KB Kris Beaudoin

Required Eric Cousens

Fri 9/25/2020 9:28 AM

Wednesday, September 30, 2020 10:00 AM- 12:00 PM ~~(Friday, September 25, 2020 10:00 AM- 12:00 PM)~~ 110 hampshire St

EXHIBIT

10

Photographs of 110 Hampshire St September 30, 2020

Violation: Sec. 12-226. - Maintenance.

Violation: Sec. 12-226. - Maintenance

Violation: Sec. 12-231. - Garbage and rubbish

Violation: Sec. 12-226. - Maintenance

Violation: Sec. 12-226. - Maintenance.

Violation: Sec. 12-226. - Maintenance

Violation: Sec. 12-226. - Maintenance.

Violation: Sec. 12-226. - Maintenance

Violation: Sec. 12-226. - Maintenance.

Violation: Sec. 12-226. - Maintenance

EXHIBIT

11

City of Auburn, Maine
Economic & Community Development
Michael Chammings, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207 333 6601

NOTICE OF VIOLATION
CODE-1847-2020

October 2, 2020

91 7199 9991 7038 5362 5719

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

PERMIT REQUIRED

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: October 16, 2020

- Trash has been allowed to accumulate and is now scattered around the entire building.

Violation: Chapter 44, Section 44-32; Accumulation of Refuse.

Revision: No person shall allow any material to collect or lie on property which he owns, occupies or

controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or repose of the public, emits odors, or is unsightly or is offensive.

Corrective Action: Properly dispose of all trash located outside of the property, this includes the driveway areas and street side.

Compliance Date: 10/16/2020

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars ($105.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars ($210.00), the third is four hundred and twenty dollars ($420.00), the fourth and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars ($100.00) and two-thousand five-hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you disagree with this Notice of Violations and order, you may appeal to the Auburn Board of Appeals pursuant to 30-A M.R.S. § 2691(4). You must do so within 30 days of the date of this order, pursuant to Section 60-1151 of the City Code, or you will be deemed to have waived your right to appeal. The decisions of timely appeals to the Auburn Board of Appeals may be reviewed by the Superior Court subject to the terms and conditions stated in M.R. Civ. P. 80B. A failure to appeal this Notice of Violation does not preclude you from opposing any further enforcement action the City may pursue against you.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,

Kris R. Beaudoin
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development

60 Court Street • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax
www.auburnmaine.gov

60 Court Street • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax
www.auburnmaine.gov

EXHIBIT
12

auburnmaine.gov

City of Auburn, Maine
Economic & Community Development
Eric Cousens, Interim Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

FIRST CITATION - $105
NOTICE OF CIVIL PENALTY
CODE-1847-2020

October 20, 2020

9489 0090 0027 6269 5893 68

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

*****PERMIT REQUIRED*****

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: November 3, 2020

- Trash has been allowed to accumulate and is now scattered around the entire building.

Violation: Chapter 44, Section 44-32; Accumulation of Refuse.

Revision: No person shall allow any material to collect or lie on property which he owns, occupies or controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or

repose of the public, emits odors, or is unsightly or is offensive.

Corrective Action: Properly dispose of all trash located outside of the property, this includes the driveway areas and street side.

Compliance Date: November 3, 2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **one hundred and five dollars ($105)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a second citation with a civil penalty in the amount of two hundred and ten dollars ($210.00), the third is four hundred and twenty dollars ($420.00), the fourth and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars ($100.00) and two-thousand five-hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

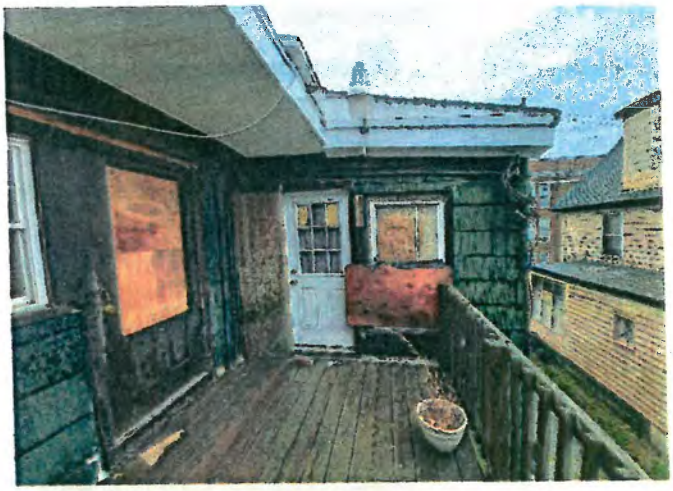
If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar ($150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

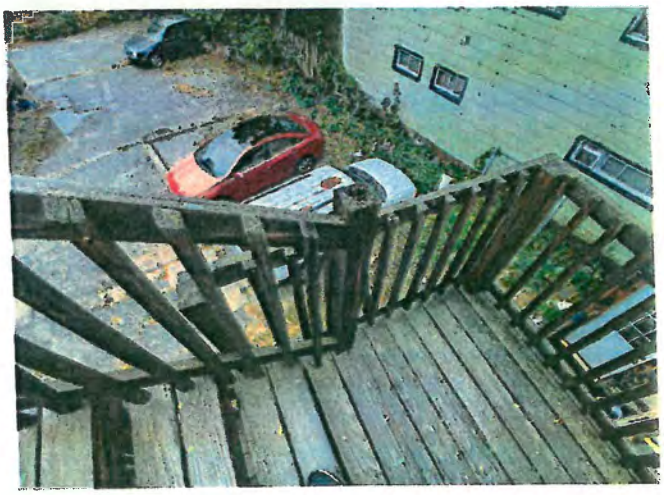
If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,

Kris R. Beaudoin
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic and Community Development





60 Court Street • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax
www.auburnmaine.gov

60 Court Street • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6625 Fax
www.auburnmaine.gov

EXHIBIT
13

City of Auburn, Maine
Economic & Community Development
Eric Cousens, Interim Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

SECOND CITATION - $210
NOTICE OF CIVIL PENALTY
CODE-1847-2020

November 9, 2020

9489 0090 0027 6269 5892 52

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

*****PERMIT REQUIRED*****

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: November 23, 2020

- Trash has been allowed to accumulate and is now scattered around the entire building.

Violation: Chapter 44, Section 44-32; Accumulation of Refuse.

Revision: No person shall allow any material to collect or lie on property which he owns, occupies or controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or

repose of the public, emits odors, or is unsightly or is offensive.

Corrective Action: Properly dispose of all trash located outside of the property, this includes the driveway areas and street side.

Compliance Date: November 23, 2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **two hundred and ten dollars ($210)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a third citation with a civil penalty in the amount of four hundred and twenty dollars ($420.00), the fourth and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars ($100.00) and two-thousand five-hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar ($150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,

Kris R. Beaudoin
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic and Community Development

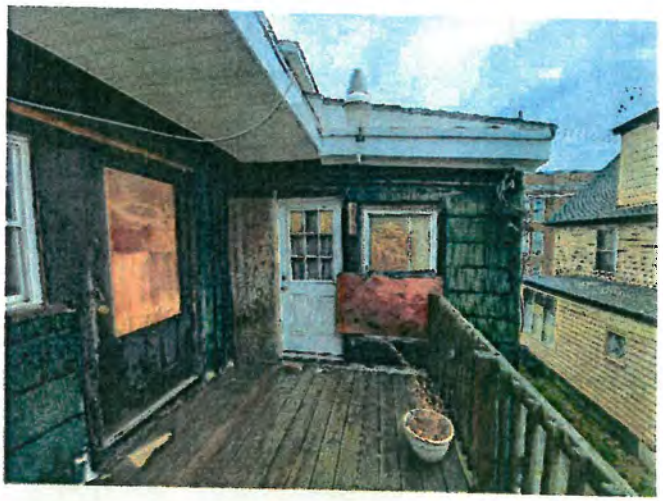


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EXHIBIT
14

auburnmaine.gov

City of Auburn, Maine
Economic & Community Development
Eric Cousens, Interim Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

THIRD CITATION - $420
NOTICE OF CIVIL PENALTY
CODE-1847-2020

November 25, 2020

9489 0090 0027 6269 5889 96

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

*****PERMIT REQUIRED*****

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: DECEMBER 9, 2020

- Trash has been allowed to accumulate and is now scattered around the entire building.

Violation: Chapter 44, Section 44-32; Accumulation of Refuse.

Revision: No person shall allow any material to collect or lie on property which he owns, occupies or controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or

repose of the public, emits odors, or is unsightly or is offensive.

Corrective Action: Properly dispose of all trash located outside of the property, this includes the driveway areas and street side.

Compliance Date: DECEMBER 9, 2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **four hundred and twenty dollars ($420)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a fourth citation with a civil penalty in the amount of four eight hundred and forty dollars ($840.00), and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars ($100.00) and two-thousand five-hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty-dollar ($150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,

Kris R. Beaudoin
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic and Community Development

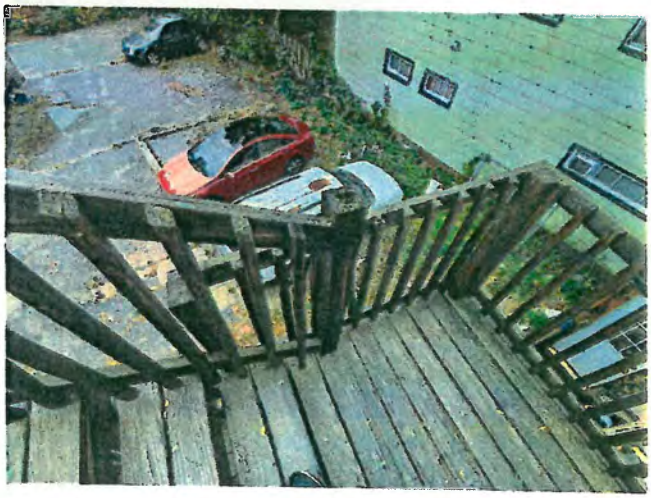

EXHIBIT
15

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
[illegible] Street | Auburn, Maine 04210
[illegible]auburnmaine.gov | 207.333.6601

FOURTH CITATION - $840
NOTICE OF CIVIL PENALTY
CODE-1847-2020

February 17, 2021

9489 0090 0027 6269 5889 72
9489 0090 0027 6269 5889 72

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

PERMIT REQUIRED

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: March 3, 2021

- Trash has been allowed to accumulate and is now scattered around the entire building.

Violation: Chapter 44, Section 44-32; Accumulation of Refuse.

Revision: No person shall allow any material to collect or lie on property which he owns, occupies or controls in such a manner that it attracts flies, annoys or interferes with the safety, health, comfort or repose of the public, emits odors, or is unsightly or is offensive.

Corrective Action: Properly dispose of all trash located outside of the property, this includes the driveway areas and street side.

Compliance Date: March 3, 2021

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of eight hundred and forty dollars ($840) to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a citation with a civil penalty in the amount of eight hundred and forty dollars ($840.00), and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30 A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one hundred dollars ($100.00) and two thousand five hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

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If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Kris R. Beaudoin
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1150
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Director of The Office of Planning & Permitting

EXHIBIT
116

Kris Beaudoin

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Thursday, February 18, 2021 8:31 AM
To: Kris Beaudoin
Cc: peter.ntarugera@gmail.com
Subject: Permit Request - 110 Hampshire St
Attachments: City of Auburn.pdf

OBJ

City of Auburn

Economic & Community Development

"WE WANT DEVELOPMENT!"

*Appointments for permits are recommended
*Please fill out any part which applies to project
*Proper plans must accompany application as required.

For Official Use Only
Date Issued
Zone
Map No
Bldg Code
Use Group
Type of Const
Est Cost
Fee

Permit Number:

ADDRESS OF CONSTRUCTION: 110 Hampshire St

Owner: Lions Real Estate Cell # 2077452444

Address: 201 Lockwood Annex Rd Minot ME 04258

CONTRACTOR: Abs+Lala, LLC Cell # 2075130219

Project Description: Porch Repair, Support repair (Rearside)

Estimated Cost of Construction: $ 6000.00

Plans Submitted:
Plan Number:
Reviewed By:

Building Dimensions: _____ Square Footage _____

For Commercial Properties: Is there a license required for your business? YES_____ NO_____

If YES, Please be aware that the license may require a background investigation.

Email Permit To: Peter.Ntacugera@gmail.com Fax Permit To: _____

Address:

Owner:

Foundation:

1. Type of Soil: N/A
2. Set Backs - Front: _____ Rear: _____ Side(s): _____
3. Footings Size: _____
4. Foundation Size: _____
5. Slab Size: _____ Slab Thickness: _____ Heated? _____
6. Other: _____

Floor:

1. Sills Size: N/A **Sills must be anchored
2. Carrying Beam Size: _____
3. Column Spacing: _____
4. Joist Size: _____ **Spacing 16" O. C.
5. Floor Sheathing Type: _____ Thickness: _____
6. Other Material: _____
7. Floor Coverings: _____

Exterior Walls:

1. Studding Size: N/A Spacing: _____
2. Corner Posts Size: _____
3. No. of Doors: _____
4. Header Sizes: _____ Spans: _____
5. Bracing: YES: _____ NO: _____
6. Egress Windows: _____ Brand: _____ Model #: _____
7. Insulation Type: _____ Thickness: _____
8. Sheathing Type: _____ Thickness: _____
9. Siding Type: _____
10. Masonry Materials: _____
11. Metal Materials: _____
12. Other Materials: _____

Interior Walls:

1. Studding Size: _____ Spacing: _____
2. Header Sizes: _____ Span(s): _____
3. Wall Covering Type: _____
4. Fire Separation Wall if Required: _____
5. Other Materials: _____

Ceilings:

1. Ceiling Joist Size: _____
2. Type Ceilings: _____
3. Insulation Type: _____
4. Thickness: _____

Roof:

1. Truss or Rafter Size: _____
2. Span: _____
3. Sheathing Type: _____
4. Thickness: _____
5. Roof Covering Type: _____
6. Other: _____

Chimneys: 1. Type _____

Heating:

1. Type of Fuel - check all that apply Oil_____ Propane_____ Natural Gas_____ Electric_____ Other_____

****If Oil Fired Appliance is being installed - A Permit from the Fire Department must be obtained****

2. Type of Heating Source & Number of Systems - check all that apply

___FHA	#_____	___Unit Heaters	#_____
___FHW	#_____	___Warm & Cool	#_____
___Radiant Electric	#_____	___Solar	#_____
___Radiant Hot Water	#_____	___Complete HVAC	#_____
___Geothermal	#_____	___Package Units	#_____
___Electric Baseebs	#_____	___Other_____	#_____

Electrical:

1. Service Entrance Size _____ Wiring Required _____

Plumbing:

1. Approved Soil Test if Required YES____ NO____ City Sewer _____
2. Number of Tubs and Showers _____ # of Flushes _____ # of Lavatories _____

Swimming Pools:

1. Type _____ Pool Size _____ Square Footage _____

Comments/Drawing:

Will also email Drawings & LVL Specks

The permit holder, property owner, person or persons, firm or corporation accepting this permit agrees to comply with all the provisions of the statutes of Maine and the Ordinances of the City of Auburn regulating the construction, maintenance, use of buildings, structures and of the application on file in this department. Permit holder understands he/she is responsible for correct set backs from ALL PROPERTY LINES and from all buildings and structures.

Application Signature: _____

EXHIBIT
17

Kris Beaudoin

From: Kris Beaudoin
Sent: Thursday, February 18, 2021 9:08 AM
To: Alexandrea Savard
Cc: peter.ntarugera@gmail.com; Tammy Thatcher
Subject: RE: Permit Request - 110 Hampshire St
Attachments: 4th citation 02172021.pdf

Alex,

The repairs to 110 Hampshire St that are required repairs are not limited to what is in the permit application. There are structural issues with rotten framing that is visible, severe deterioration of the roof and assemblies and other exterior surface areas. We spoke last week and I made you aware of trash issues that were still ongoing and I was told that you would take care of them but unfortunately that did not occur. I had to send out another citation yesterday because this has been ongoing for so long. I am attaching the 4th citation to this email for your reference.

Please update the permit application to include everything and email it to Tammy so she can collect payment. We also need to schedule a walkthrough of the building.

Best Regards

Kris R. Beaudoin
Code Compliance Officer, LPI
Office of Economic & Community Development
City of Auburn
60 Court Street Ste 104
Auburn, Me. 04210
kbeaudoin@auburnmaine.gov
Phone: 207-333-6601 Ext. 1150
www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Thursday, February 18, 2021 8:31 AM
To: Kris Beaudoin <kbeaudoin@auburnmaine.gov>
Cc: peter.ntarugera@gmail.com
Subject: Permit Request - 110 Hampshire St

OBJ

EXHIBIT
18

Kris Beaudoin

From: Kris Beaudoin
Sent: Thursday, March 04, 2021 2:42 PM
To: Tammy Thatcher
Subject: Accepted: Meeting Re 110 Hampshire St Buliding Permit With Alexandrea Savard 745-2777

EXHIBIT
19

Kris Beaudoin

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Monday, April 05, 2021 10:52 AM
To: Kris Beaudoin
Cc: peter.ntarugera@gmail.com
Subject: Permit application 110 Hampshire St
Attachments: Permit Application 110 Hampshire.pdf

Kris,
See attached.

City of Auburn

Economic & Community Development

"WE WANT DEVELOPMENT!"

*Appointments for permits are recommended
*Please fill out any part which applies to project
*Proper plans must accompany application as required

For Official Use Only
Date Issued
Zone
Map No
Bldg Code
Use Group
Type of Const
Est Cost
Fee

Permit Number:

ADDRESS OF CONSTRUCTION: 110 Hampshire Street

Owner Lions Real Estate Cell # 7452777

Address 220 Lisbon St Lewiston ME 04240 (PO Box 7066)

CONTRACTOR Auburn Lala, LLC Cell # 5130219

Project Description: Repair NOV items

Estimated Cost of Construction: $4200.00

Building Dimensions Multi-Family Square Footage

Plans Submitted
Plan Number:
Reviewed By

For Commercial Properties: Is there a license required for your business? YES____ NO____

If YES, Please be aware that the license may require a background investigation

Email Permit To: savardalexandrea@gmail Fax Permit To: peter.ntangera@gmail.com

Address:

Owner:

Foundation:

1 Type of Soil
2 Set Backs: Front: Rear: Side(s):
3 Footings Size
4 Foundation Size
5 Slab Size Slab Thickness Heated?
6 Other

Floor:

1 Sills Size **Sills must be anchored
2 Carrying Beam Size
3 Column Spacing
4 Joist Size **Spacing 16" O. C.
5 Floor Sheathing Type Thickness
6 Other Material
7 Floor Coverings

Exterior Walls:

1 Studding Size Spacing
2 Corner Posts Size
3 No. of Doors
4 Header Sizes Spans
5. Bracing YES ____ NO ____
6 Egress Windows ____ Brand ____ Model # ____
7 Insulation Type Thickness
8 Sheathing Type Thickness
9. Siding Type
10 Masonry Materials
11 Metal Materials
12 Other Materials

Interior Walls:

1 Studding Size Spacing
2. Header Sizes Span(s):
3 Wall Covering Type
4 Fire Separation Wall if Required
5 Other Materials

Ceilings:

1 Ceiling Joist Size
2 Type Ceilings
3 Insulation Type
4 Thickness

Roof:

1 Truss or Rafter Size
2 Span
3 Sheathing Type
4 Thickness
5 Roof Covering Type
6 Other:

Chimneys: 1. Type _____

Heating

1. Type of Fuel: check all that apply: Oil_____ Propane_____ Natural Gas_____ Electric_____ Other_____

****If Oil Fired Appliance is being installed - A Permit from the Fire Department must be obtained****

2. Type of Heating Source & Number of Systems: check all that apply

___FHA	#_____	___Unit Heaters	#_____
___FHW	#_____	___Warm & Cool	#_____
___Radiant Electric	#_____	___Solar	#_____
___Radiant Hot Water	#_____	___Complete HVAC	#_____
___Geothermal	#_____	___Package Units	#_____
___Electric Baseboard	#_____	___Other_____	#_____

Electrical:

1. Service Entrance Size _____ Wiring Required _____

Plumbing

1. Approved Soil Test if Required YES ___ NO ___ City Sewer _____
2. Number of Tubs and Showers _____ # of Flushes _____ # of Lavatories _____

Swimming Pools:

1. Type _____ Pool Size _____ Square Footage _____

Comments/Drawing

Repair siding/exterior surfaces
Repair Handrails/railings
Repair Porches
Repair LVL on parking Lot area
Replace older roofing.

see attached !

The permit holder, property owner, person or persons, firm or corporation accepting this permit agrees to comply with all the provisions of the statutes of Maine and the Ordinances of the City of Auburn regulating the construction, maintenance, use of buildings, structures and of the application on file in this department. Permit holder understands he/she is responsible for correct set backs from ALL PROPERTY LINES and from all buildings and structures.

Application Signature: _____

EXHIBIT
20

Kris Beaudoin

From: Kris Beaudoin
Sent: Tuesday, April 27, 2021 3:54 PM
To: Alexandrea Savard
Subject: 110 Hampshire St

Alex,

Before I can issue the permit for 110 Hampshire St I will need you to provide more specific details about the LVL and what the scope of the other repairs you will be doing. I understand you can not really provide much detail about the framing of the rotten areas of the exterior wall until those areas have been exposed more but there needs to be specifics provided.

Best Regards

Kris R. Beaudoin
Code Compliance Officer, LPI
Office of Economic & Community Development
City of Auburn
60 Court Street Ste 104
Auburn, Me. 04210
kbeaudoin@auburnmaine.gov
Phone: 207-333-6601 Ext. 1150
www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

EXHIBIT 21

Kris Beaudoin

From: Kris Beaudoin
Sent: Tuesday, July 20, 2021 3:43 PM
To: Alexandrea Savard
Subject: RE: 110 Hampshire Street

Alex, thank you for the heads up. I do want to make you aware, because of the condition of the building, if she does call I will need to schedule an inspection with her.

Regarding the same property: on April 5, you applied for a building permit to make repairs to the building to avoid any further citations but have not provided any of the documentation requested. If you cannot provide the information I need to approve the permit I will need to restart the citation process, for your reference I believe I have already issued 4 citations so each new citations has a civil penalty of $840 just like the 4th.

I need to following information:

1. Description of the repairs to the porches, this is to include components needed to make said repairs.
2. Documentation (cut sheet) of the LVL you intend on using, the location, method of support etc.

Best Regards

Kris R. Beaudoin
Code Compliance Officer, LPI
Office of Economic & Community Development
City of Auburn
60 Court Street Ste 104
Auburn, Me. 04210
kbeaudoin@auburnmaine.gov
Phone: 207-333-6601 Ext. 1150
www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Tuesday, July 20, 2021 3:03 PM
To: Kris Beaudoin <kbeaudoin@auburnmaine.gov>
Subject: 110 Hampshire Street

Kris,
We have a tenant says she cannot pay rent next month (110#2). I told her she must and we will require her to pay her portion of the rent. She left screaming that she was calling code enforcement. I just wanted to give you a heads up.

Thank you,
Alex
--
Thank you,

Alexandrea Savard

The information in this email, and any attachments, may contain confidential information and is intended solely for the attention and use of the named addressee(s). It must not be disclosed to any person(s) without written authorization. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to, and must not, disclose, copy, distribute, or retain this message or any part of it. If you have received this communication in error, please notify the sender immediately.

Think Green - don't print this email unless you really need to

EXHIBIT
22

Kris Beaudoin

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Wednesday, August 18, 2021 12:32 PM
To: Alexandrea Savard; Peter Ntarugera
Subject: Hampshire Street - Deck
Attachments: Replacement Deck - 2nd Floor - 110 Hampshire Street.pdf; Supplies List - 110 2 Deck.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

--
Thank you,
Peter,
Are these the correct plans? I need to send them to Kris again.

Alexandrea Savard

The information in this email, and any attachments, may contain confidential information and is intended solely for the attention and use of the named addressee(s). It must not be disclosed to any person(s) without written authorization. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to, and must not, disclose, copy, distribute, or retain this message or any part of it. If you have received this communication in error, please notify the sender immediately.

Think Green - don't print this email unless you really need to

Order List

Deck Name: Custom

Lumber

QUANTITY	MATERIAL
3	2 x 10 x 14'
1	2 x 10 x 8'
3	2 x 10 x 16'
2	2 x 10 x 12'
3	6 x 6 x 12'
1	6 x 6 x 8'
14	5/4 x 6 x 14'
3	5/4 x 6 x 8'
17	5/4 x 6 x 16'
1	4 x 4 x 8'
6	4 x 4 x 10'
6	2 x 4 x 8'
4	2 x 4 x 16'
1	2 x 4 x 12'
2	2 x 4 x 14'
110	2 x 2 x 36"
1	5/4 x 6 x 12'
5	2 x 12 x 16'
1	2 x 12 x 8'
2	2 x 12 x 12'
1	2 x 6 x 8'

Hardware

QUANTITY	DESCRIPTION
18	Standard Joist Hanger
6 lbs	10d nails x 3"
3	Post To Beam Connector
3	Post Base Connector

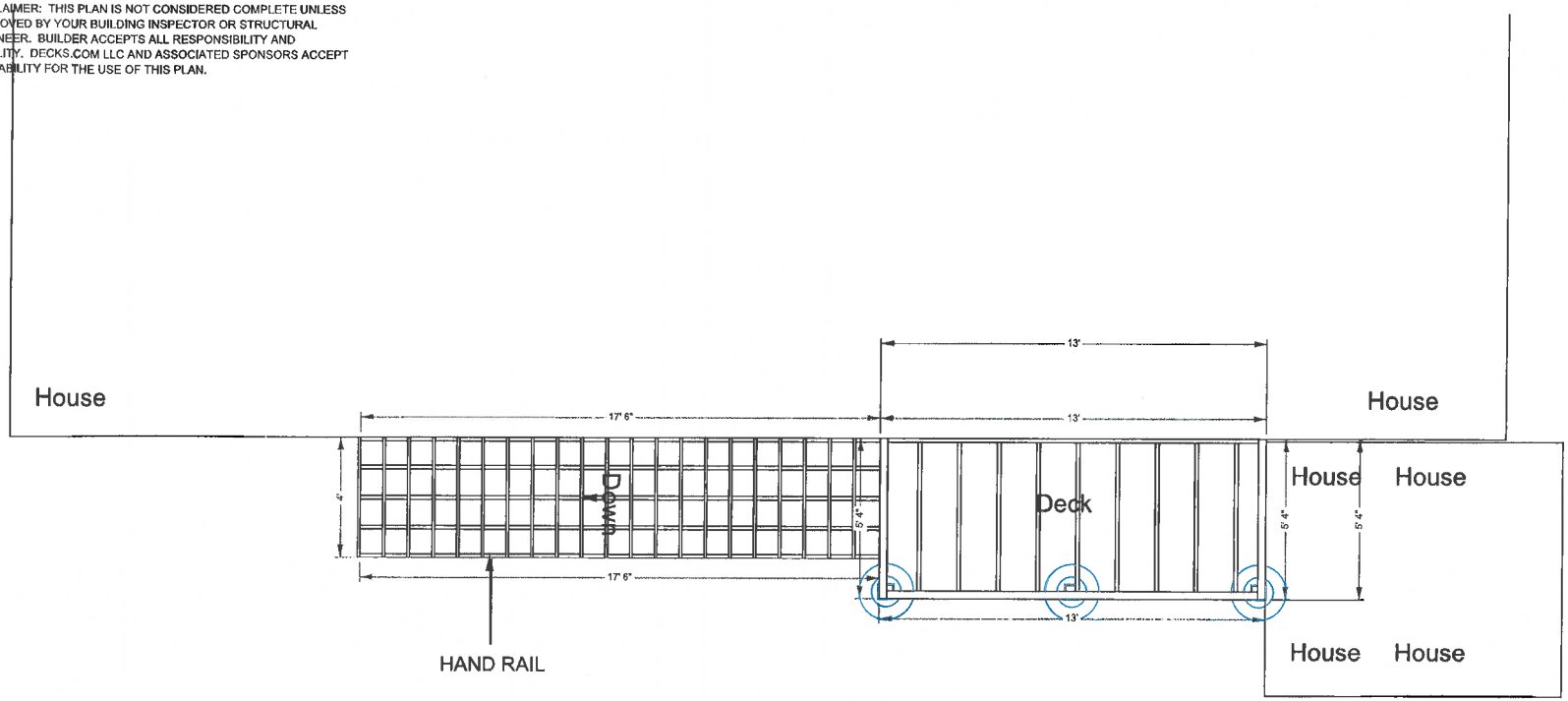
QUANTITY	DESCRIPTION
2 lbs	16d nails x 3.5"
3	5/8 x 4 inch wedge anchor bolt
1	14 inch x 30 foot vinyl roll flashing
2	8 foot section Z flashing
30	3.5 inch structural screw
2	Concealed Joist Hanger
4 lbs	2.5 inch screw
9 lbs	3 inch screw
13	6 inch structural screw
5	Stair Stringer Connector
1 lbs	10d nails x 1.5"
31	60 lb bags of concrete

SCALE: 1/4" = 1' WHEN PRINTED ON 11X17 PAPER

BASED ON THE INTERNATIONAL RESIDENTIAL CODE

STAIRWAY ILLUMINATION: ALL EXTERIOR STAIRWAYS SHALL BE ILLUMINATED AT THE TOP LANDING TO THE STAIRWAY. ILLUMINATION SHALL BE CONTROLLED FROM INSIDE THE DWELLING OR AUTOMATICALLY ACTIVATED.

DISCLAIMER: THIS PLAN IS NOT CONSIDERED COMPLETE UNLESS APPROVED BY YOUR BUILDING INSPECTOR OR STRUCTURAL ENGINEER. BUILDER ACCEPTS ALL RESPONSIBILITY AND LIABILITY. DECKS.COM LLC AND ASSOCIATED SPONSORS ACCEPT NO LIABILITY FOR THE USE OF THIS PLAN.



Total Depth: 48
Base Diameter: 22
Pier Diameter: 12

Footings to be installed to 48" depth as is required by your local building ordinance. Frost footing sizes based on 55 lbs per square foot tributary loads applied to 1500 psi soil compression capacity (assumed clay soil). See footing detail in deck construction guide.

DISCLAIMER: ONLY USE #2 OR BETTER PRESSURE TREATED SOUTHERN PINE 2X10 FOR FRAMING MATERIALS. NEVER SUBSTITUTE SOFTWOODS OR COMPOSITE FOR FRAMING MATERIALS.

2x10 Ledger Board to be flashed and bolted (2) 1/2" bolts with washers or equivalent every 16" on center. (See ledger detail in deck construction guide)
Joists to be 2x10 pressure treated southern yellow pine installed 16" on center.
Beams to be 2-2x10 pressure treated southern yellow pine nailed.
Guard Rails to be 42" high with less than 4" openings per IRC code. (See rail detail in deck construction guide)
Stairs to be built max rise 7-3/4" min rise 4" in run 10" per IRC code. (See stair detail in deck construction guide)
Decking to be 5/4x6 Pressure Treated Pine. (Follow manufacturers' installation instructions)
All hardware to be corrosion resistant and installed per manufacturers' instructions.

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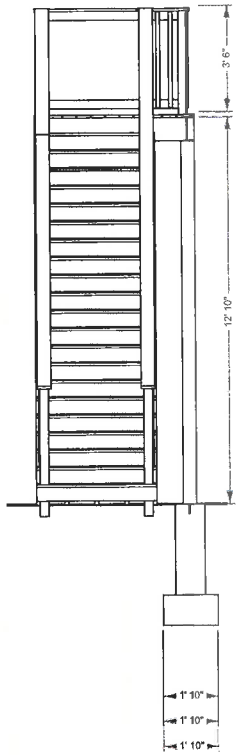

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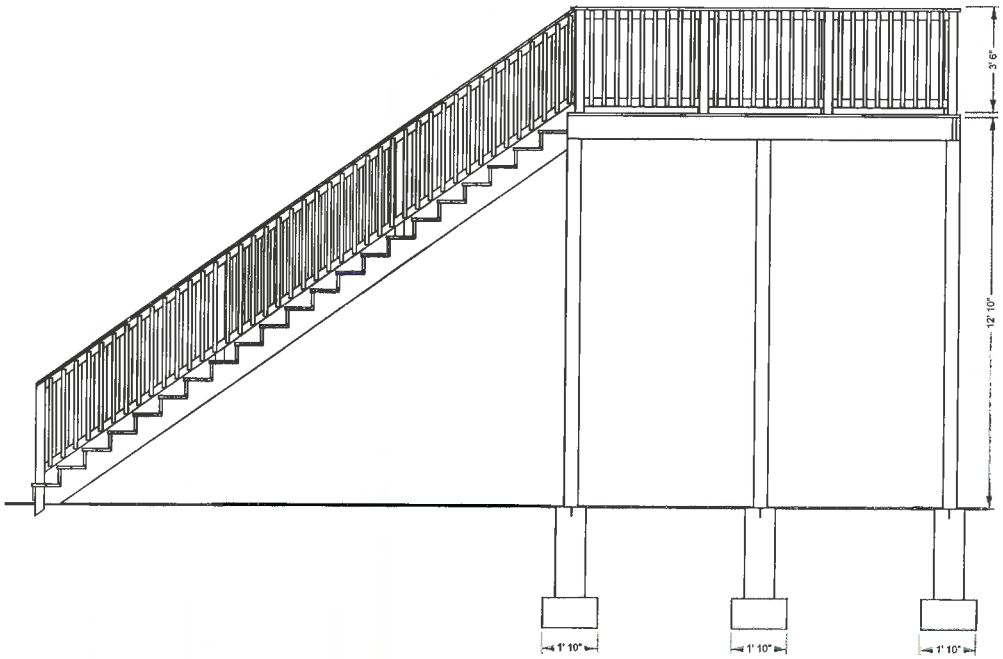

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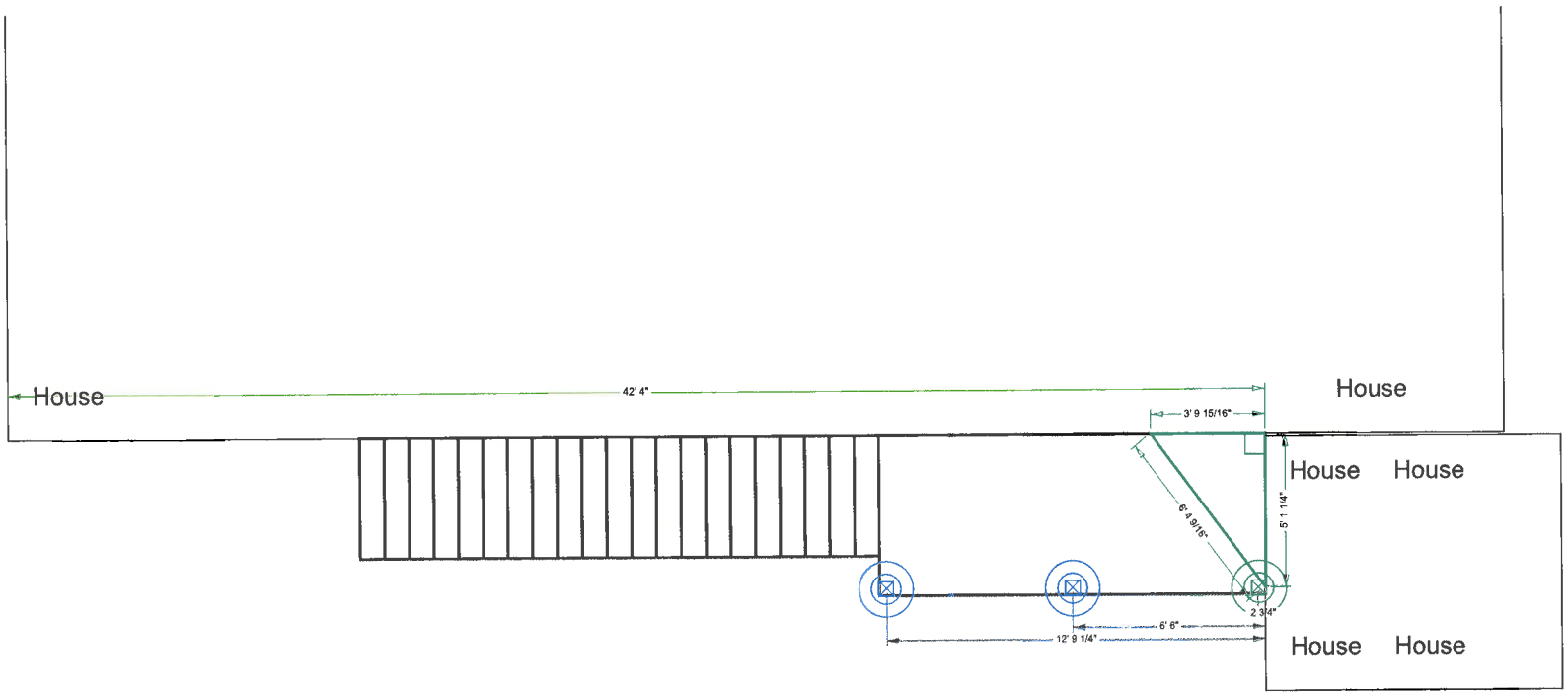
BASED ON THE INTERNATIONAL RESIDENTIAL CODE

STAIR FOOTING REQUIREMENTS
WHERE THE STAIRWAY MEETS GRADE, ATTACH THE STAIR STRINGERS TO THE STAIR GUARD RAIL POSTS. POSTS SHALL BEAR ON FOOTINGS



Total Depth: **48**
Base Diameter: **22**
Pier Diameter: **12**

Footings to be installed to 48" depth as is required by your local building ordinance.
Frost footing sizes based on 55 lbs per square foot tributary loads applied to 1500 psi soil compression capacity (assumed clay soil).
See footing detail in deck construction guide.

DISCLAIMER: USE ONLY 2,500 PSI CONCRETE FOR FROST FOOTING FOUNDATIONS.

Footings to be installed to 48" depth as is required by your local building ordinance.
Frost footing sizes based on 55 lbs per square foot tributary loads applied to 1500 psi soil compression capacity (assumed clay soil).
See footing detail in deck construction guide.

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EXHIBIT
23

Kris Beaudoin

From: Kris Beaudoin
Sent: Friday, January 21, 2022 12:55 PM
To: Cy Wilkinson
Subject: Accepted: 110 Hampshire st. plan meeting

EXHIBIT
24

Kris Beaudoin

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Tuesday, February 01, 2022 1:41 PM
To: Kris Beaudoin
Subject: LVL - 110 Hampshire Street
Attachments: E-spec-guide-BCI-and-VL.pdf

Kris,
I have met with my contractor today regarding 110 Hampshire St support issue. He has made a game plan to install two LVL's.

We have ordered:
10in X 12in X 18ft
10in x 12in X 14ft

I'm going to send him in for a permit this week. Attached is the for he'd given me for the city for size rate?

Please see attached.

EXHIBIT
25

Kris Beaudoin

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Tuesday, March 01, 2022 9:51 AM
To: Kris Beaudoin
Cc: Cy Wilkinson; Eric Cousens
Subject: Re: 110 Hampshire St

Kris,
Thank you for reaching out. I will contact Mike Fox and get back to you today.

I also wanted to see if you'd had a chance to take a look at the plumbing permit for 46 Valley St, Auburn, ME 04210? I'd like to get the ball rolling on this project, too.

Thank you for your time,

Alexandrea Savard :)

On Tue, Mar 1, 2022 at 9:44 AM Kris Beaudoin <kbeaudoin@auburnmaine.gov> wrote:

> Alex, I spoke with both Eric and Cy regarding your inquiries regarding the permit application. When you and Mr. Fox were here, Mr. Fox described how he wanted to make the repairs. During that conversation I made you aware that the method he wanted to use was not a permitted method. In the event that I was misunderstanding the conversation, I asked for pictures of the area and a diagram to show the repair, and both of you agreed that I would be sent the construction documents we need so I can reevaluate my concerns. As of today, I have not received any documentation from you or Mr. Fox which is why the permit has not been approved. Will either of you be able to provide construction documents for the repairs this week?
>
> Best Regards
>
> Kris R. Beaudoin
>
> CEO/Building Inspector/LPI
>
> Office of Planning & Permitting
>
> City of Auburn
>
> 60 Court Street Ste 104
>
> Auburn, Me. 04210
>
> kbeaudoin@auburnmaine.gov
>
> Phone: 207-333-6601 Ext. 1150

www.auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.

E-mail sent or received by City employees are subject to these laws.

Senders and receivers of City e-mail should presume that messages are subject to release.

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Thank you,

Alexandrea Savard

The information in this email, and any attachments, may contain confidential information and is intended solely for the attention and use of the named addressee(s). It must not be disclosed to any person(s) without written authorization. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to, and must not, disclose, copy, distribute, or retain this message or any part of it. If you have received this communication in error, please notify the sender immediately.

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EXHIBIT
26

Kris Beaudoin

From: Kris Beaudoin
Sent: Thursday, September 01, 2022 3:59 PM
To: Kris Beaudoin; Jennifer Dick; Cy Wilkinson
Subject: 110 Hampshire St

Apt 2

Ceiling issue multiple areas
Large hole in bathroom wall
Large hole in laundry room

Apt 5

Rotten floor by rear door
Holes in the ceiling
Bathroom floor
Missing door hardware in bathroom
Broken bathroom window
Handrails need repair

Apt 8

Multiple stained ceiling tiles
Missing cabinet draws
Broken kitchen window
Electrical exposed

Apt 4

Deteriorated bathroom floor
Multiple stained ceiling tiles
Wall cavities exposed
Ceiling water damaged

Apt 1 hallway

Smoke detector Missing in hallway

Apt 9

Infestation

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

EXHIBIT
27

Cy Wilkinson

Subject:	713-2899 Stardust Chase Inspection of Hampshire and Willow St apartment/building
Location:	17 Willow st. Apt #3
Start:	Mon 12/20/2021 9:00 AM
End:	Mon 12/20/2021 10:00 AM
Recurrence:	(none)
Meeting Status:	Meeting organizer
Organizer:	Cy Wilkinson
Required Attendees:	Eric Cousens
Optional Attendees:	Kris Beaudoin

Stardust Chase has given us permission to inspect her apartment.

Photos of 110 Hampshire St. Auburn, Maine on December 20, 2021

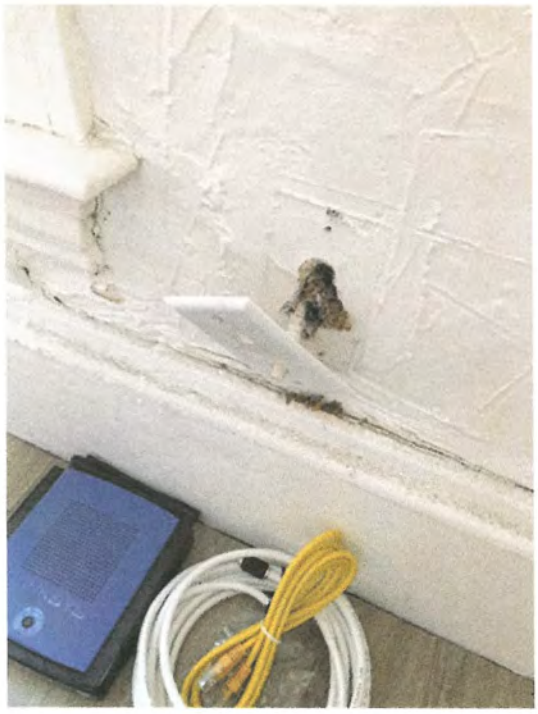
Violation: Exterior rear egress stairs with broken guards structural members separating Violation Sec. 12-226. - Maintenance.

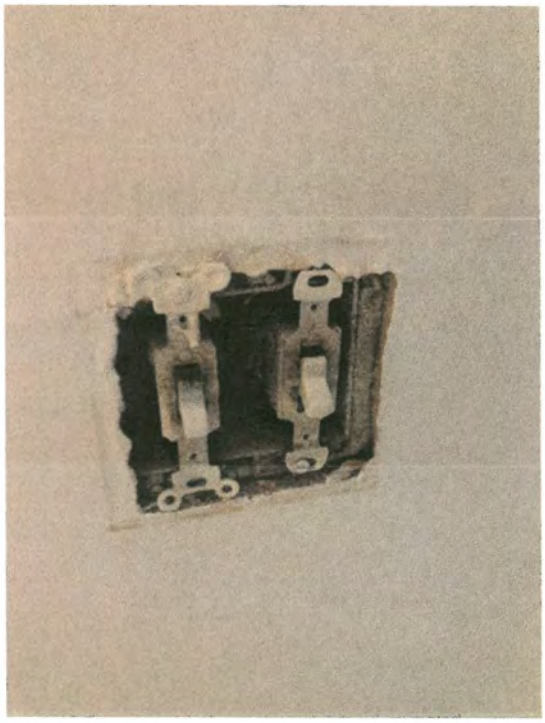
Violation: Broken window Sec. 12-226. - Maintenance.

Violation: Chipping and peeling paint and water damage Sec. 12-226. - Maintenance.

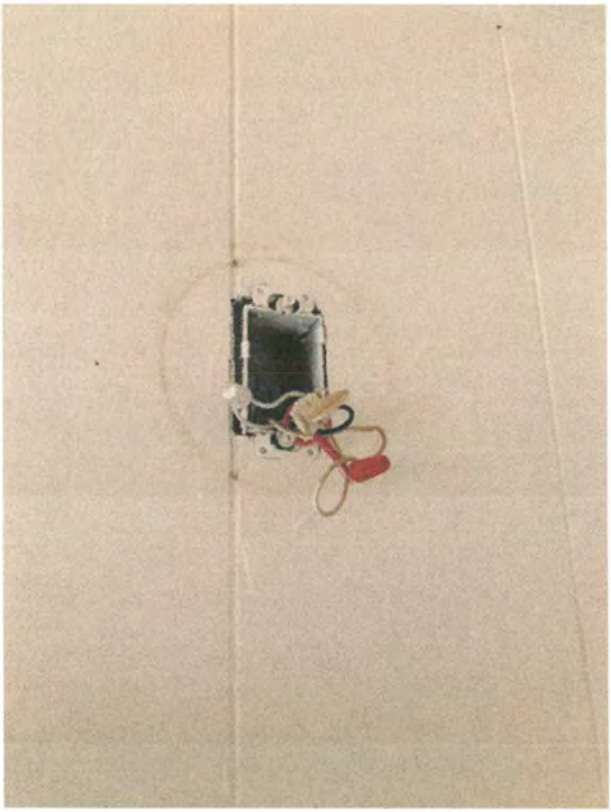
Violation: Chipping and peeling paint Sec. 12-226. - Maintenance.

110 Hampshire Street/17 Willow St Apartment #3 deficiencies;

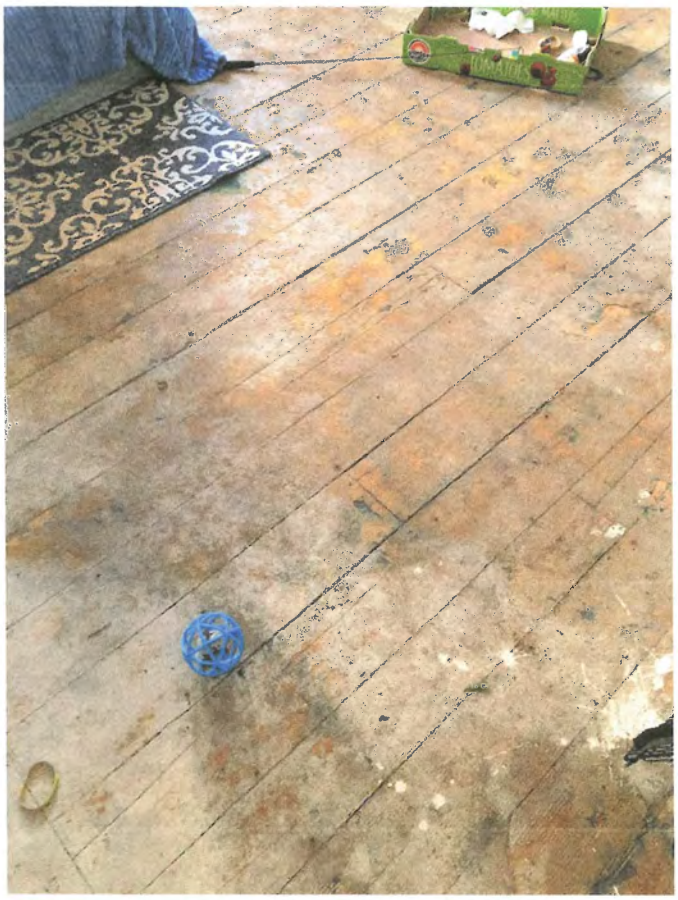




Violation: Exposed wiring and no covers on switches or outlets Sec. 12-229. - Electrical and lighting.



Violation: No fire alarm and exposed wiring Sec. 12-229. - Electrical and lighting.



Violation: No floor covering in living room and bedroom Sec. 12-226. - Maintenance.

EXHIBIT
28

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

FIFTH CITATION - $840
NOTICE OF CIVIL PENALTY
CODE-1847-2020

December 20, 2021

Lions Real Estate, LLC
175 Pine Street
Lewiston, ME 04240

9489 0090 0027 6269 5864 66

9489 0090 0027 6269 5864 66

RE: 110 HAMPSHIRE ST, PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST.
AUBURN, ME 04210
PID#: 250357000

*****PERMIT REQUIRED*****

- Deterioration to exterior surface areas.
- Missing siding leaving structural elements exposed to the weather
- Loose/Damaged handrails and railings
- Structural components of the porches are damaged or separating
- Deterioration/Rot in exposed areas of sheathing and framing
- Deteriorated roofing materials
- Broken windows

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

Corrective Action: Apply for and obtain permits for the issues listed above, make necessary repairs or replacements of any compromised areas and contact this office to schedule a complete building inspection.

Compliance Date: January 19, 2021

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of eight hundred and forty dollars ($840) to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per

annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a citation with a civil penalty in the amount of eight hundred and forty dollars ($840.00), and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30 A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one hundred dollars ($100.00) and two thousand five hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar ($150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Cy Wilkinson
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1139
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Director of The Office of Planning & Permitting

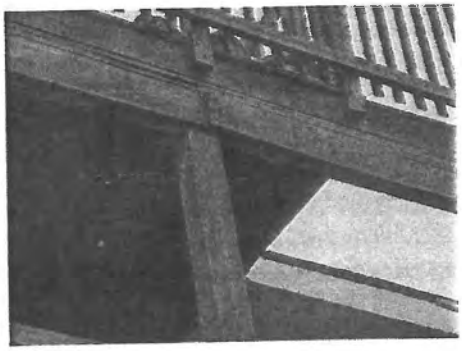


EXHIBIT
29

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

NOTICE OF VIOLATION
CODE-1907-2021

December 21, 2021

LIONS REAL ESTATE LLC
175 PINE ST
LEWISTON, ME 04240

RE: 110 HAMPSHIRE ST., PID # 250-357

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

110 HAMPSHIRE ST. #17
AUBURN, ME 04210
PID#: 250357000

- No floor covering in bedroom
- Flaking paint

Violation: Chapter 12, Section 12-226; MAINTENANCE

Revision: (a) All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

(b)All painted exterior surface areas of pre 1978 properties must be maintained in a manner to not cause a public nuisance or affect the health and safety of the occupants of the property where the condition exists or of surrounding properties. Paint stabilization must occur if the potential for such a condition exists.

Corrective Action: Install new floor covering in bedroom. Paint ceilings where paint is flaking off.

Compliance Date: January 3, 2021

****PERMIT REQUIRED****

- Open and exposed wiring
- Open receptacles/no faceplates
- No fire alarm wired in

Violation: Chapter 12, Section 12-229; ELECTRICAL & LIGHTING

Revision: All lighting and other electrical facilities shall be in accordance with the requirements of the electrical code adopted by the city and shall be maintained in good, safe and suitable electrical order.

Corrective Action: Install new fire alarm. Install faceplates and new receptacles/switches where wires are exposed. Permit is required and work needs to be done by a licensed electrician.

Compliance Date: January 3, 2021

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars ($105.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars ($210.00), the third is four hundred and twenty dollars ($420.00), the fourth and subsequent citations are eight hundred and forty dollars ($840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars ($100.00) and two-thousand five-hundred dollars ($2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

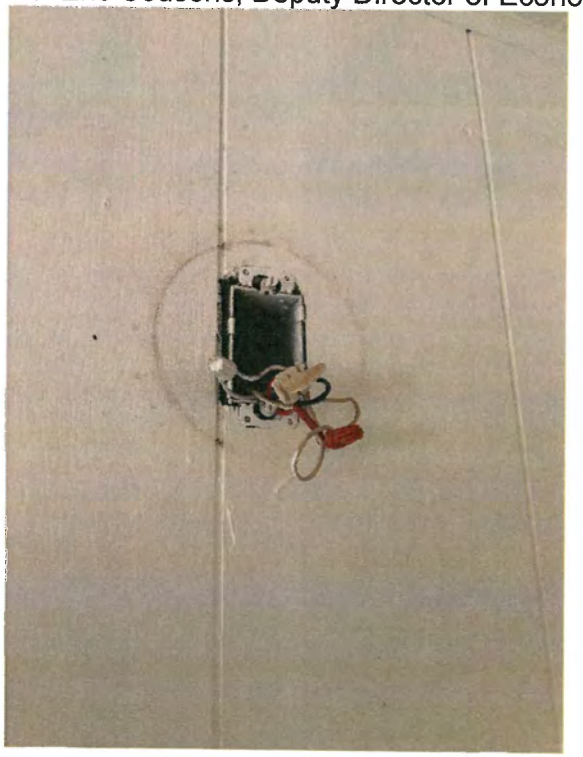
If you disagree with this Notice of Violations and order, you may appeal to the Auburn Board of Appeals pursuant to 30-A M.R.S. § 2691(4). You must do so within 30 days of the date of this order, pursuant to Section 60-1151 of the City Code, or you will be deemed to have waived your right to appeal. The decisions of timely appeals to the Auburn Board of Appeals may be reviewed by the Superior Court subject to the terms and conditions stated in M.R. Civ. P. 80B. A failure to appeal this Notice of Violation does not preclude you from opposing any further enforcement action the City may pursue against you.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,

Cy Wilkinson
Code Compliance Officer
City of Auburn
60 Court Street
Auburn, ME 04210
(207) 333-6601 Ext. 1139
cwilkinson@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development



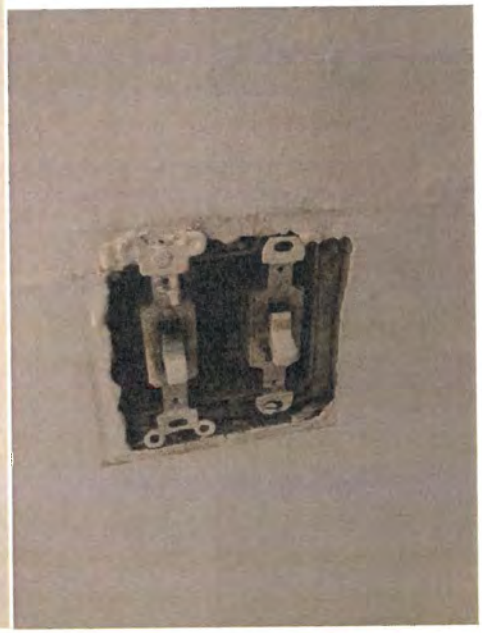


EXHIBIT
30

Cy Wilkinson

From: Alexandrea Savard <savardalexandrea5@gmail.com>
Sent: Thursday, January 20, 2022 2:51 PM
To: Cy Wilkinson
Cc: Peter Ntarugera
Subject: 110 Hampshire Street - Lions Real Estate

Good Afternoon,
I apologize that I didn't get back to you sooner. I ended up getting covid and I was stuck home for a few weeks. I wanted to get on the same page with Hampshire Street with a timeline on repairs needed. After going over with the contractor we are using we've made a plan. We are going to start with the roof repairs (they are the most urgent).

Please let me know if you have a moment we could meet and go over these plans.

--
Thank you,

Alexandrea Savard

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Think Green - don't print this email unless you really need to

EXHIBIT

31

Cy Wilkinson

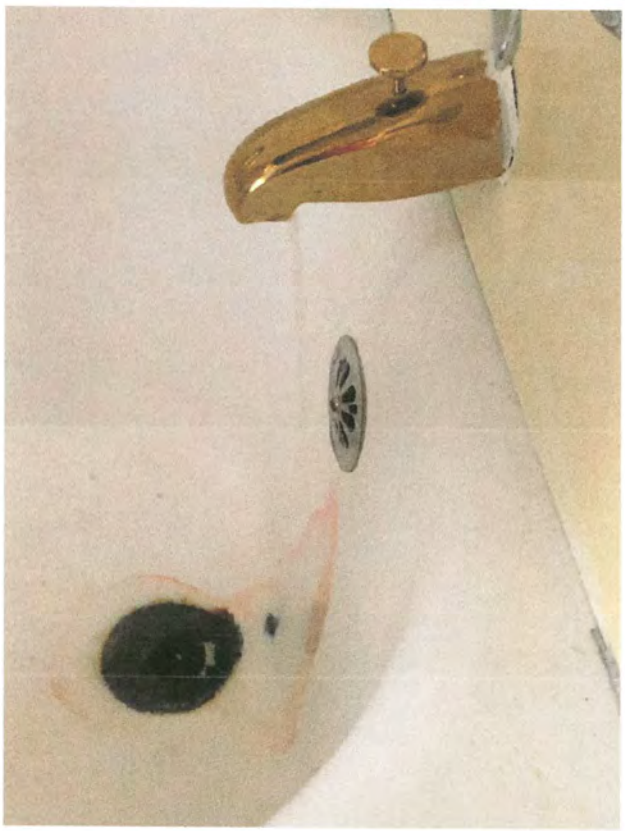
Subject:	110 Hampshire st. plan meeting
Location:	Community Room
Start:	Thu 1/27/2022 9:30 AM
End:	Thu 1/27/2022 11:00 AM
Recurrence:	(none)
Meeting Status:	Meeting organizer
Organizer:	Cy Wilkinson
Required Attendees:	Eric Cousens; Kris Beaudoin; sivardalexandrea5@gmail.com
Resources:	Community Room

EXHIBIT
32

Photos of 110 Hampshire St Auburn, Maine on September 1, 2022

Broken dryer vent- Violation: Sec. 12-228. - Heating and ventilation.

Attic vent blocked with nest/rodents - Violation: Sec. 12-228. - Heating and ventilation.



Unit #3 Leaking plumbing/faucet- Violation: Sec. 12-227. - Plumbing.

Unit #3 Electrical covers missing, and exposed wiring- Violation: Sec. 12-229. - Electrical and lighting.

Broken loose handrail to second floor – Violation: Sec. 12-226. - Maintenance.

Common area to units #3 and #4 No floor covering or weather stripping around door Violation: Sec. 12-226. - Maintenance.

Rotten windowsill above where new beam was installed below. Violation: Sec. 12-226. - Maintenance.

Structural elements of third story egress porch separating. Violation: Sec. 12-226. - Maintenance.

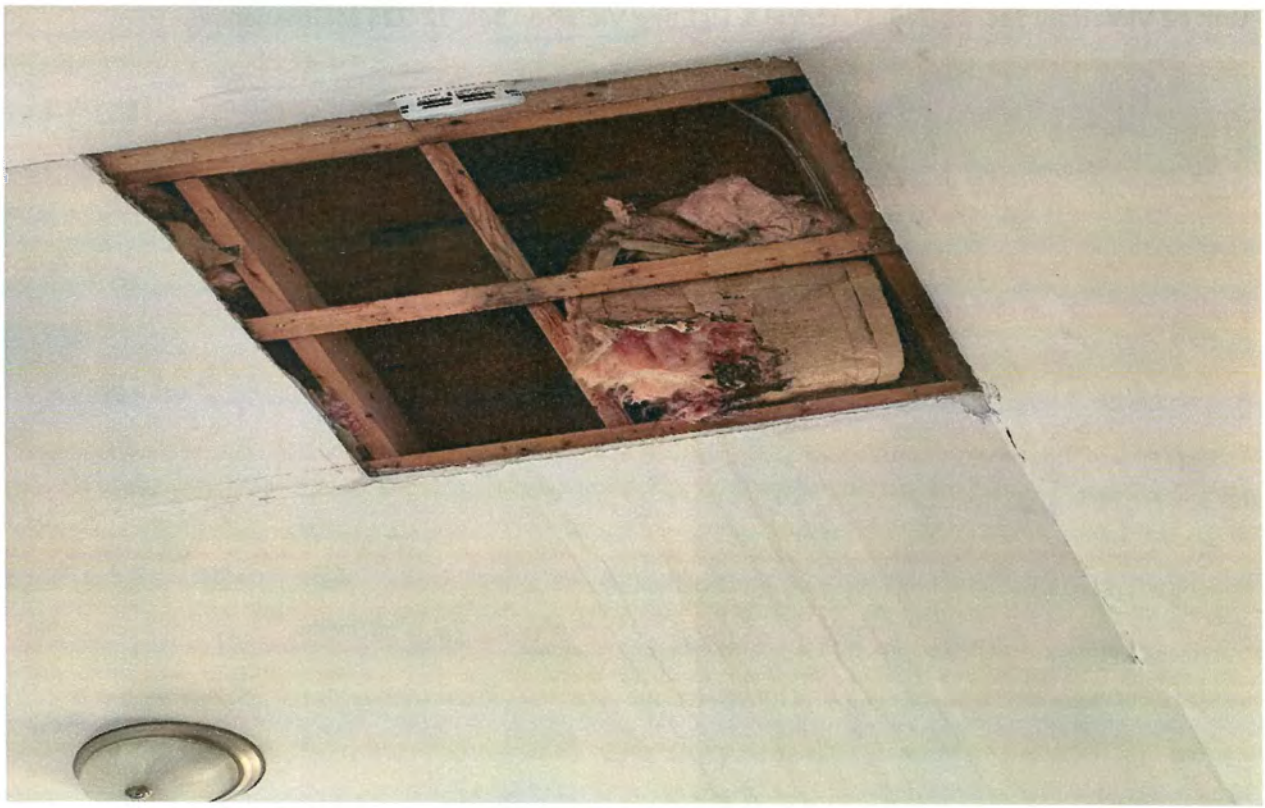
Missing trim/facia allowing water intrusion on structural elements- Violation: Sec. 12-226. - Maintenance.

Rotten/deteriorating window trim and chipping paint- Violation: Sec. 12-226. - Maintenance.

110 Hampshire Street September 1, 2022

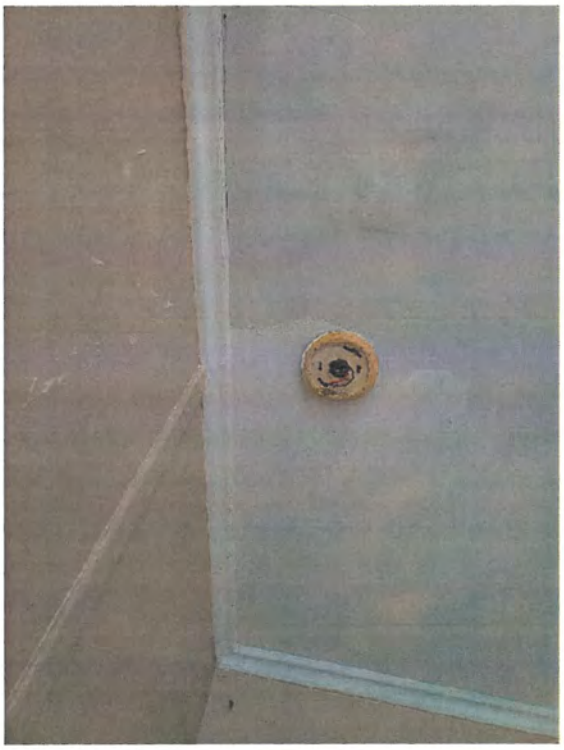
EXHIBIT
33

Unit #2 Violation: Sec. 12-226 - Maintenance



Unit #2 Violation: Sec. 12-226 - Maintenance

Unit #2 Violation: Sec. 12-229: Electrical & Lighting Violation Sec. 12-226 Maintenance

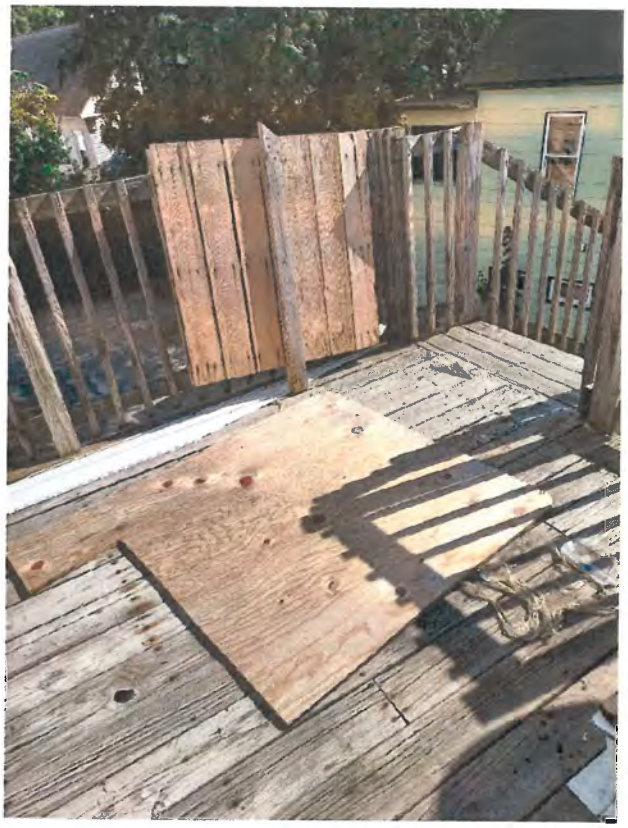


Violation Sec. 12-229 Electrical & Lighting

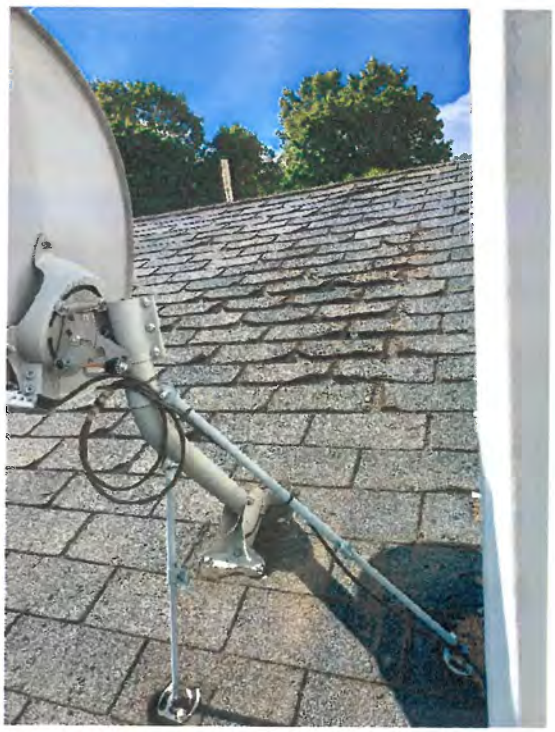
Unit #5 Violation: Sec 12-226 Maintenance

Unit #5 Violation: Sec 12-226 Maintenance

110 Hampshire Street September 1, 2022



Unit #5 Violation: Sec 12-226 Maintenance



Unit #5 Violation: Sec 12-226 Maintenance

Unit #8 Violation: Sec 12-226 Maintenance

Unit #8 Violation: Sec 12-226 Maintenance

Unit #8 Violation Sec 12-229 Electrical & Lighting

Unit #8 Violation Sec 12-226 Maintenance

Exterior Violation: Sec 12-226 Maintenance

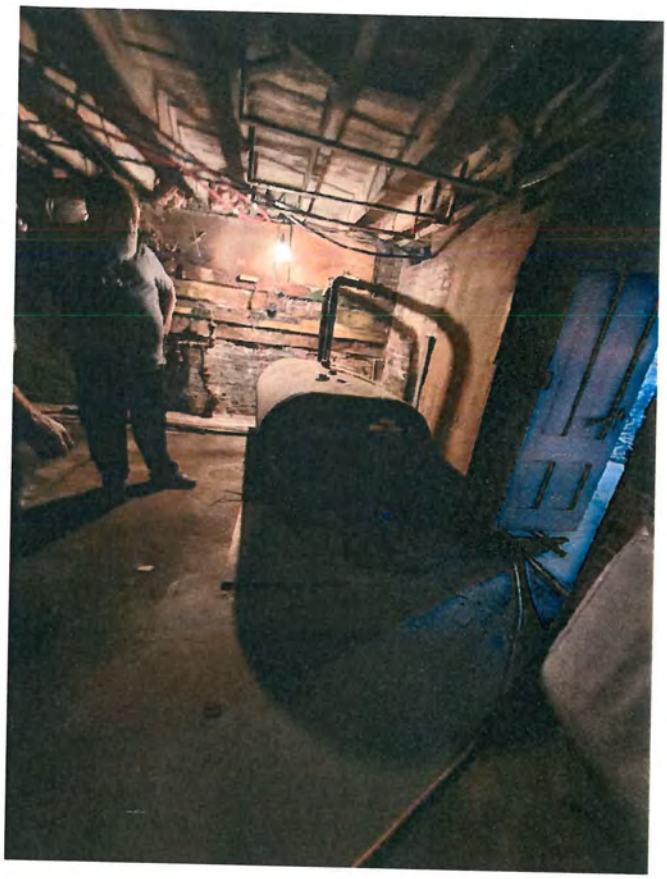
Exterior Violation: Sec 12-226 Maintenance

110 Hampshire Street September 1, 2022

Exterior Violation: Sec 12-226 Maintenance

Exterior Violation: Sec 12-226 Maintenance

110 Hampshire Street September 1, 2022



Basement Violation: Sec 12-226 Maintenance

Unit #8 Violation: Sec 12-226 Maintenance

110 Hampshire Street September 1, 2022

ORDER 158-12052022

City Council Order

IN CITY COUNCIL

CITY OF AUBURN CITY COUNCIL
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DEMOLITION

110 HAMPSHIRE STREET

On December 5, 2022, at 7:00 p.m., the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the ("Structures") at 110 Hampshire Street in Auburn, Maine, further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 10028, Page 126 (the "Premises"), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the city was Eric Cousens, Director of Planning & Permitting, and Kris Beaudoin, Code Enforcement Officer. The following individuals appeared on behalf of the owner and/or parties in interest_____.

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Lions Real Estate LLC (the "Owner"). Planning, Permitting & Code Department ("Department") **Exhibits 1**.
2. Alexandria Savard Owner of Lions Real Estate LLC was served with copies of the Notice of Hearing ("Notice") on November 17, 2022. **Exhibit 2.**
3. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds on November 16, 2022. **Exhibit 3.**
4. The Council has accepted and adopts the facts stated in the affidavits and supporting exhibits of Code Enforcement Officers Kris Beaudoin, Cy Wilkinson, and Jennifer Dick. Department **Exhibits 4, 5 and 6.**
5. The Structures are structurally unsafe.
6. The Structures are unfit for human occupancy due to significant structural damage.
7. The Structures constitute a hazard to health and safety because of inadequate maintenance.
8. The Owner have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

Conclusions of Law

City Council Order

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

9. The Structures are structurally unsafe and unstable.
10. The Structures are unsanitary.
11. The Structures constitutes a fire hazard.
12. The Structures are unsuitable and improper for human habitation.
13. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.
14. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous buildings, and the Council hereby concludes that the Structure at 110 Hampshire Street is a nuisance and dangerous building within the meaning of 17 M.R.S. § 2851.

Order 15-12052022

Having found that the Structures at 110 Hampshire Street is a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

15. That the Owner, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within ninety (90) days of service of this Order.
16. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
17. That within ninety (90) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
18. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

This decision may be appealed to Superior Court under Maine Rule of Civil Procedure 80B.

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on December 5, 2022, the Auburn City Council adopted the above Order.

Dated:

_____

Susan Clements-Dallaire
City Clerk

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

ORDER 158-12052022

City Council Order

STATE OF MAINE

ANDROSCOGGIN, ss

December 5, 2022

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

_____

Notary Public/Attorney at Law

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 159-12052022

Author: Alison F. Pepin, Deputy Clerk

Subject: Ryan & Connor Concessions, Group LLC., DBA Ringers

Information: Ryan & Connor Concessions, Group LLC., DBA Ringers, a ***new*** concession business to be located at Norway Savings Bank Arena, 985 Turner Street has applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

City Budgetary Impacts: None

Staff Recommended Action: Public Hearing and recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

- FSE Class I Application
- State Liquor License Application
- Public Notice
- Order

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): Ryan + Conor Concessions Group LLC	Business Name (D/B/A): Ringers
Individual or Sole Proprietor Applicant Name(s): Patrick Mulligan	Physical Location: 985 Turner St Auburn ME 04210
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 296 High St South Portland ME 04106
Mailing address, if different from DBA address: 296 High St South Portland, ME 04106	Email Address: pat mulligan@portland pie.com
Telephone # Fax #: (207) 233-1437	Business Telephone # Fax #:
Federal Tax Identification Number: 88-4288044	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☒ New Expected Start date: asap
   ☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
   Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
   ☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

☒	Restaurant (Class I, II, III, IV)	☐	Class A Restaurant/Lounge (Class XI)	☐	Class A Lounge (Class X)
☐	Hotel (Class I, II, III, IV)	☐	Hotel – Food Optional (Class I-A)	☐	Bed & Breakfast (Class V)
☐	Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV)	☐	Auxiliary	☐	Mobile Cart
☐	Tavern (Class IV)	☐	Other: _____		
☐	Qualified Caterer	☐	Self-Sponsored Events (Qualified Caterers Only)		

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

246 High St South Portland ME 04106

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No **If Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

_____

11. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Waterville Pie LLC / DBA Portland Pie Co	CAR-2018-11053	173 Main St Waterville ME 04901
Windham Pie LLC / DBA Portland Pie Co	CAR-2020-12714	791 Roosevelt Tr Windham ME 04062

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Patrick Milligan	5/11/69	Portland, ME

Residence address on all the above for previous 5 years

Name Patrick Milligan Address: 296 High St South Portland, ME 04106

Name Address:

Name Address:

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If **Yes**, provide name of law enforcement officer and department where employed:

_____

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

City of Auburn 60 Court St Auburn, ME 04210

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Second floor mezzanine concession area of Ice Arena. This extends the full mezzanine between the two rinks

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Saint Dominic Academy

Distance: 0.4 Miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to $2,000 or by both.

Please sign and date in blue ink.

Dated: 11/21/22

Signature of Duly Authorized Person

Signature of Duly Authorized Person

Patrick Mulligan

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: NOV 3 0 2022

Who is approving this application? X Municipal Officers of Auburn

☐ County Commissioners of _____ County

☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title
	Susan Clements-Dallaire, City Clerk
	on behalf of the Municipal Officers

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G.After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
    - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of $10.00 must be included with all applications.

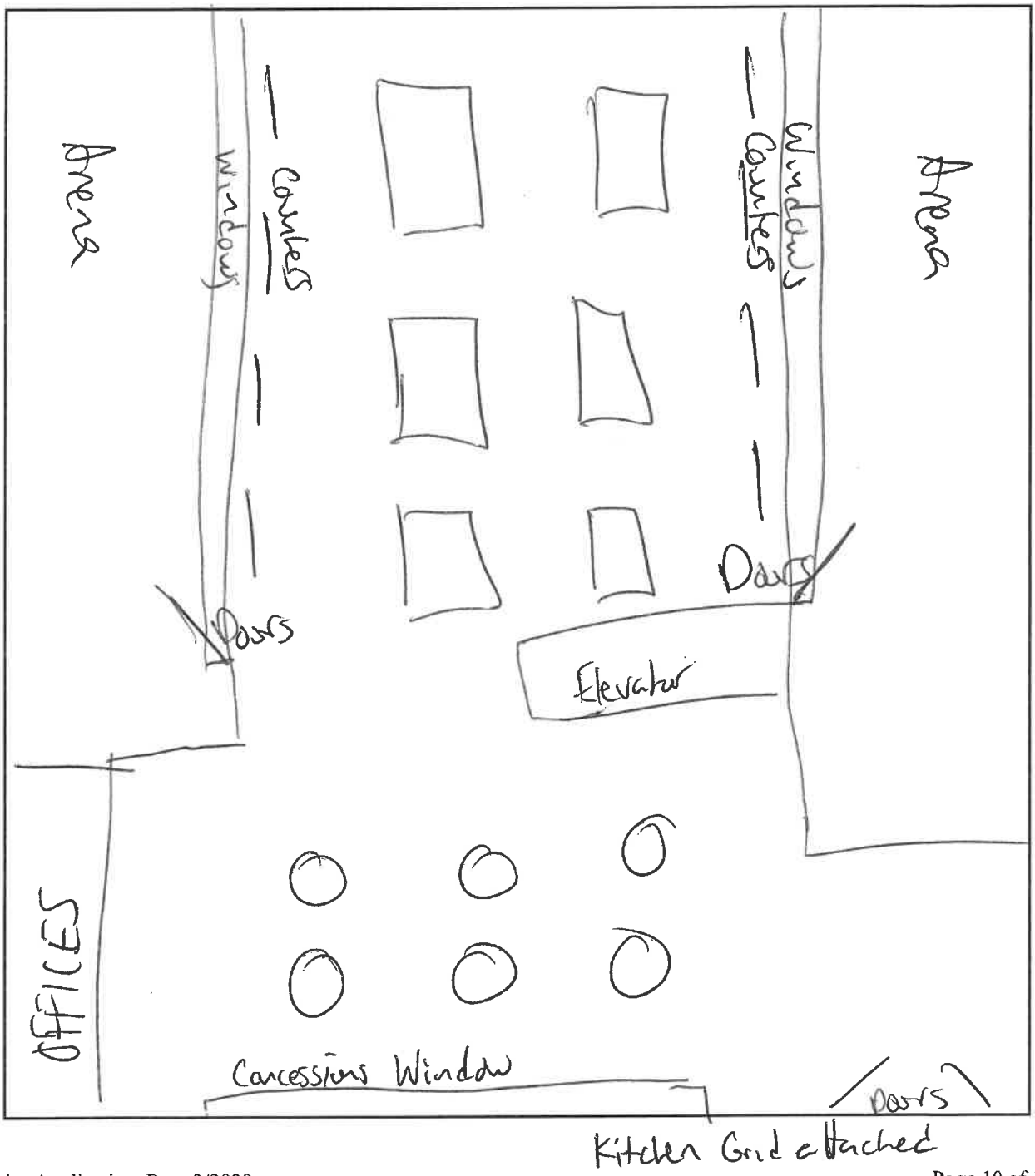
Please note: For Licensees/Applicants in unorganized territories in Maine, the $10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	**For the sale of liquor (malt liquor, wine and spirits)**	$ 900.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	
Class I-A	**For the sale of liquor (malt liquor, wine and spirits)**	$1,100.00
	This class includes only hotels that do not serve three meals a day.	
Class II	**For the Sale of Spirits Only**	$ 550.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	**For the Sale of Wine Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	**For the Sale of Malt Liquor Only**	$ 220.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III and IV	**For the Sale of Malt Liquor and Wine Only**	$ 440.00
	This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V	**For the sale of liquor (malt liquor, wine and spirits)**	$ 495.00
	This class includes only a Club without catering privileges.	
Class X	**For the sale of liquor (malt liquor, wine and spirits)**	$2,200.00
	This class includes only a Class A Lounge	
Class XI	**For the sale of liquor (malt liquor, wine and spirits)**	$1,500.00
	This class includes only a Restaurant Lounge	

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

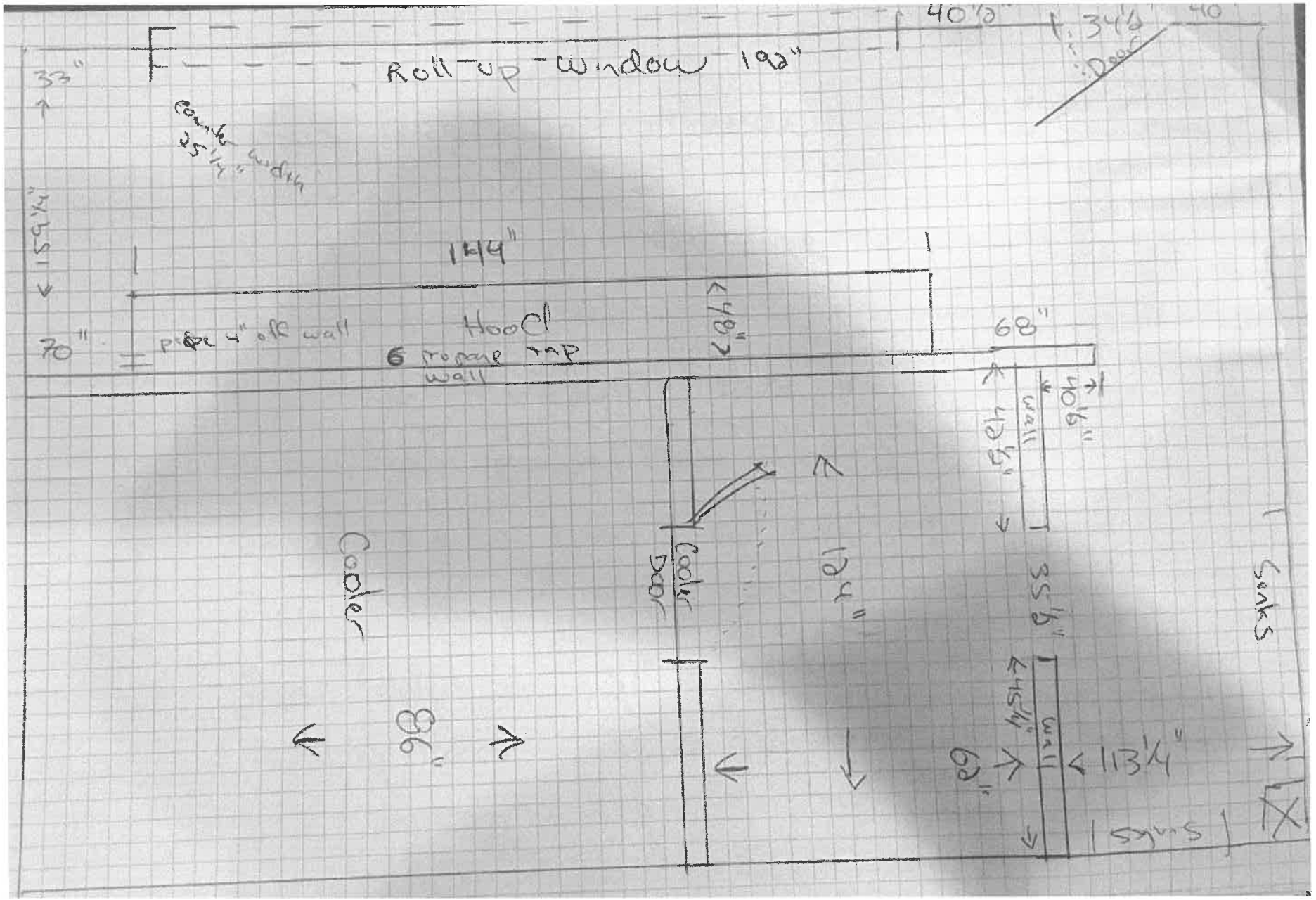
1. Exact legal name: Ryan and Carver Concessions Group LLC
2. Doing Business As, if any: Ringers
3. Date of filing with Secretary of State: 9/1/22 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

   _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Patrick Millican	296 High St Southportland ME 04106	5/11/69	owner	100

(Ownership in non-publicly traded companies must add up to 100%.)


Roll-up window 192"
40½"
34½"
Door
40
33"
159¼"
114"
70"
pipe 4" off wall
Hood
6 range top
wall
68"
40½"
wall
Cooler
Door
Cooler
98"
121"
55½"
wall
113¼"
92"
Sinks
Sinks

CITY OF AUBURN
NOTICE OF PUBLIC HEARING

A public hearing will be held by the Auburn City Council on December 05, 2022 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for:

Ryan & Connor
Concessions Group, LLC.,
DBA Ringers –
985 Turner Street

All interested persons may appear and will be given the opportunity to be heard before final action is taken.

ORDER 159-12052022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Liquor License for Ryan & Connor Concessions Group, LLC, DBA: Ringers, located at 985 Turner Street.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Order:** 160-12052022

Author: Brian Wood, Assistant City Manager

Subject: Purchase of a portable stage

Information:
The City of Auburn has historically rented a stage 2 to 4 times a year for various performances and events. With an increase in major events planned over the next several years an investment in a mobile stage, equipment and training would remediate the need to rent a stage and allow for greater flexibility with events.

City Budgetary Impacts:
$180,000.00

Staff Recommended Action:
Staff recommends supporting this purchase

Previous Meetings and History:
N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 160-12052022

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council direct the City Manager to purchase a portable stage of similar size and capabilities as has historically been rented. The City of Auburn will allocate up to $180,000 from the American Rescue Plan Act (ARPA) funds in support of this initiative.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 5, 2022 **Ordinance:** 24-12052022

Author: Eric Cousens, Director of Planning and Permitting

Subject: First Reading on a Zone Change Petition for 150 Andrew Drive (Parcel I.D. 347-003)

Information: On November 15, 2022, The Planning Board held a public hearing and vote on a petition submitted to amend the areas outside the Lake Auburn watershed: 33.49 +/- acres of 38.22 total acres at 150 Andrew Drive (Parcel I.D. 347-003) from Agricultural and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.576 acres, zoning districts to Suburban Residential (SR) zoning district. The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation. The proposal is pursuant to Chapter 60 Article XVII Division 2— Amendment to the Zoning Ordinance or Zoning Map.

After the Planning Board voted against a motion to not rezone the parcel, they made a favorable recommendation to "amend 33.49 +/- acres of the 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to the Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation."

At the hearing it was noted by a member of the public that the Maine Municipal Guide for Planning Boards recommends that Board Members not represent clients in front of the Planning Board that they serve on. Board Member Brian Dubois did his due diligence and asked if he could recuse himself from the item but still participate and represent his client as a member of the public and local Real Estate Broker and was advised that that he could, and that the recusal was the appropriate action on his part. Staff has since researched the issue further and although State Law allows it, local Planning Board policy is more stringent, and doe does not allow it. We raise this issue for full transparency and to note that the Board Member did as he was advised and had no intention of violating a policy or rule. The Council, if they choose, could remedy this by requesting that the Planning Board hold a new hearing, without the participation of the board member that had a conflict and recused himself from deliberation as a Board Member. It is unlikely that this would result in a different outcome and may not be worthwhile, but it has brought attention to the policy for future referrals. The policy is up for review in February and Staff will work with the Board to align the Policy with updated Maine Municipal Association Guidance and State Law and to ensure staff and the Board are familiar with the updated policy.

City Budgetary Impacts:

Staff Recommended Action:
Staff suggests Council hold the first reading vote to pass the Planning Board's recommendation to amend 33.49 +/- acres of the 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/-

acres, zoning districts to the Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation.

Previous Meetings and History:
November 15, 2022, Planning Board Meeting

City Manager Comments:

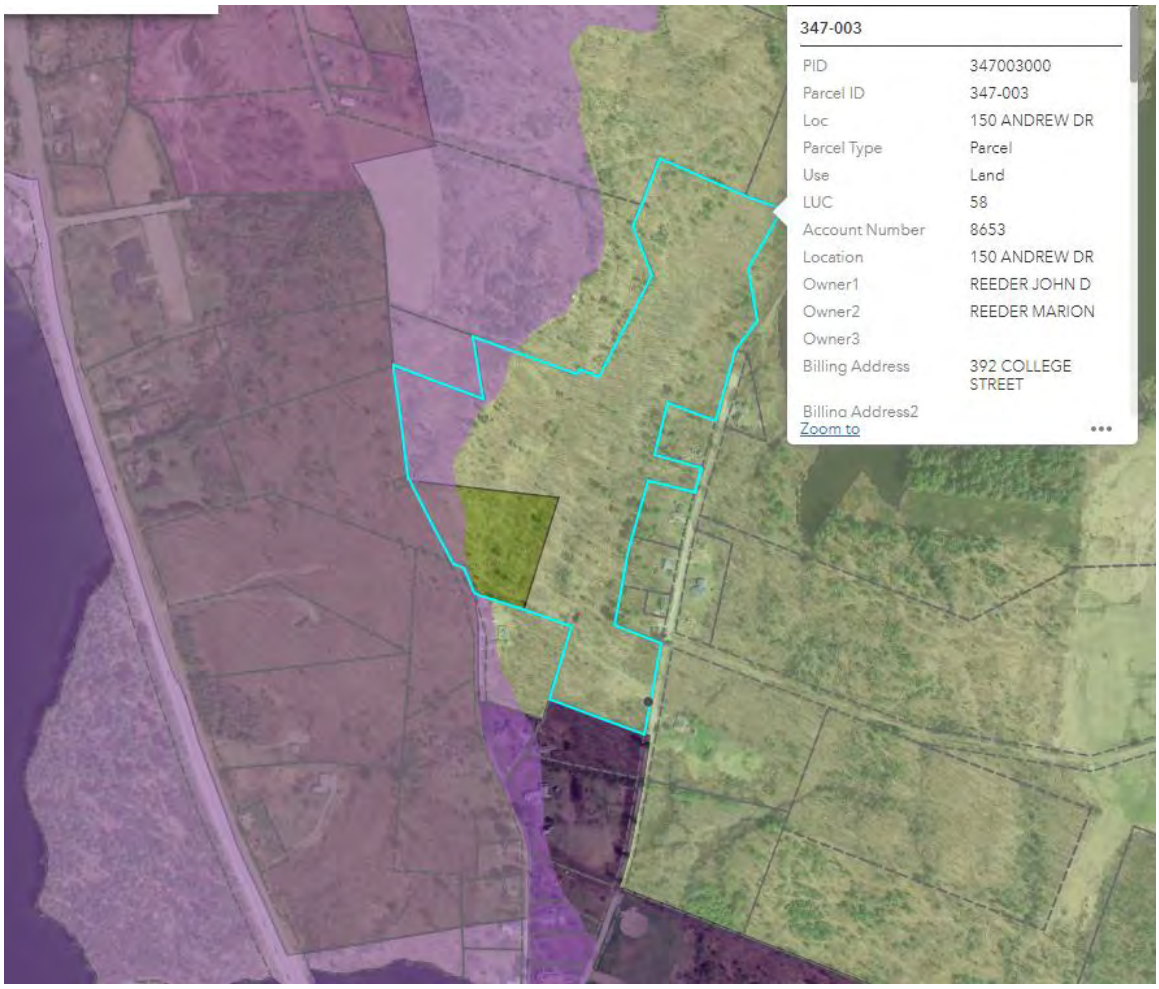
I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: November 15, 2022, Planning Board Motion; Staff Report; Petition, Receipt, and Map; Sketch Map and Comp Plan overlay; Division 5-Suburban Residence District; Rural Residential Road Strips excerpt from the 2021 Comprehensive Plan.

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210 www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Zone Change Petition for 150 Andrew Drive (Parcel I.D. 347-003)
Date: November 15, 2022

Proposal: Petition/ Zone Change Request: Petition to amend the areas outside the Lake Auburn watershed: 33.49 +/- acres of 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agricultural and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through and AG zone designation. The proposal is pursuant to Chapter 60 Article XVII Division 2—Amendment to the Zoning Ordinance or Zoning Map.



Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or by a petition signed by not less than 25 registered voters of the city (Ord. of 9-21-2009, § 8.1A).
One of the primary tests of a zone change is its conformance with the Comprehensive Plan.
The 2021 Comprehensive Plan provides two standards and mechanisms to consider if rezoning this parcel. First, residential strip zones may be appropriate based on a few considerations. One of these criteria are the existence of an established residential pattern. An established pattern means at least six to eight homes per half mile counting both sides of the road. This road meets the criteria with seven homes in 0.25 miles. The Comprehensive Plan guides the city to also consider "Reserve Area Adjacency" (maintained as undeveloped for the purpose of a different use in the foreseeable future) and "Natural Resource Adjacency" (areas with significant natural value) as reason to not provide a residential strip zone. Part of the parcel has slopes with a grade of over 25%, where a residential strip should not be placed according to the comprehensive plan. Residential strips adjacent to Agriculture and Resource Protection land in Auburn are commonly 450 ft deep.

Based on the guidance within the comprehensive plan and considering the slopes and location of this parcel, staff recommends that the Board vote in favor of rezoning a portion, 21.06 +/- acres, instead of 33.49 +/- acres requested in the petition. By excluding the parts of the parcel that have steep slopes as defined in the Comprehensive Plan and parts of the parcel in the watershed and finally applying 450 ft residential strips, staff recommends that the Planning Board rezone 21.06 +/- acres as Suburban Residential with 12.00 +/- acres to remain in AG and 4.66 +/- acres to remain in LDCR as shown on the map below as depicted in the original text and map.

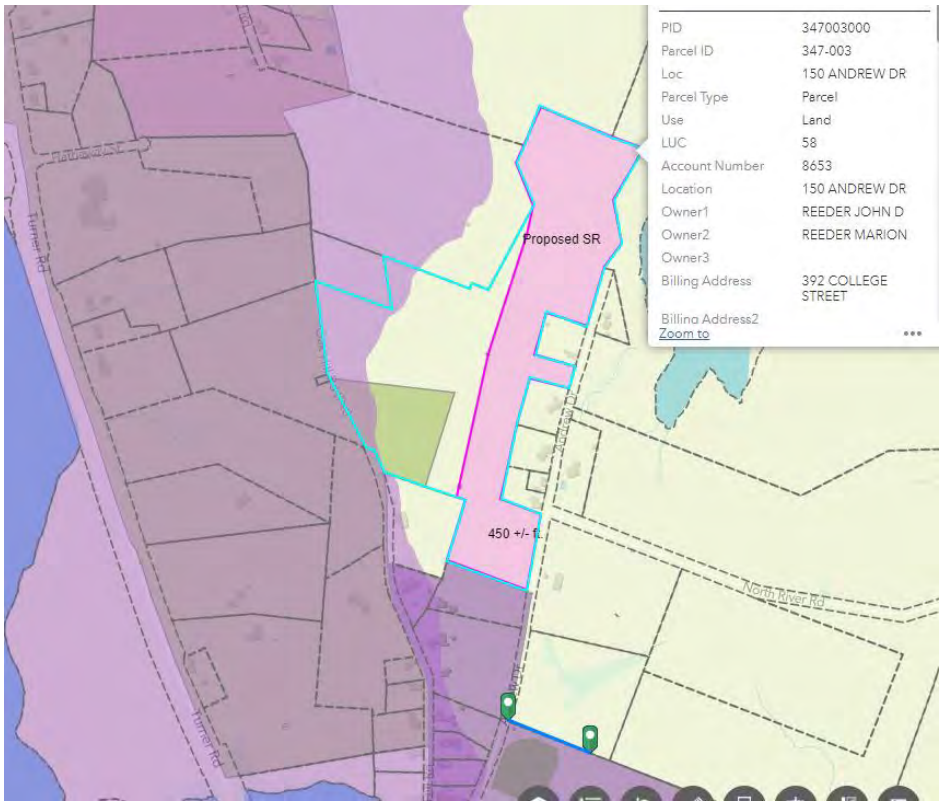


Figure 1—Staff Suggested Zone Change, supported by 2021 Comprehensive Plan.

Andrew Drive is adjacent to Gulf Island Pond where a public boat launch was proposed by the city in the past. At the time, the proposal was rejected because of safety concerns

on Route 4. This summer, considerable safety upgrades have been made on the road addressing the original concerns that prevented the boat launch. While the board considers rezoning 150 Andrew Drive, they may also consider rezoning the easterly side of the road abutting the river to SR as well to allow for future public access.

The Board may decide to initiate a zone change at a later meeting to rezone the five remaining parcels on the westerly side of Andrew Drive from AG to SR and an additional 450 ft. Strip from AG to SR on the easterly side of Andrew Drive beginning at Parcel I.D. 337-021, 101 Andrew Drive, ending north where Andrew drive ends or determined by the board and council. With this change, the board may decide to change the portion of the parcel in question currently zoned as LDCR to AG. The purpose of these subsequent changes would be to create a strip zone consistent with the Comprehensive Plan allowing for riverfront access thereby enhancing the neighborhood with waterfront recreational activity. The other purpose of the subsequent zone change would be to convert land within the watershed to Agriculture and Resource Protection which is currently in LDCR. The map of a future change could look like the following:

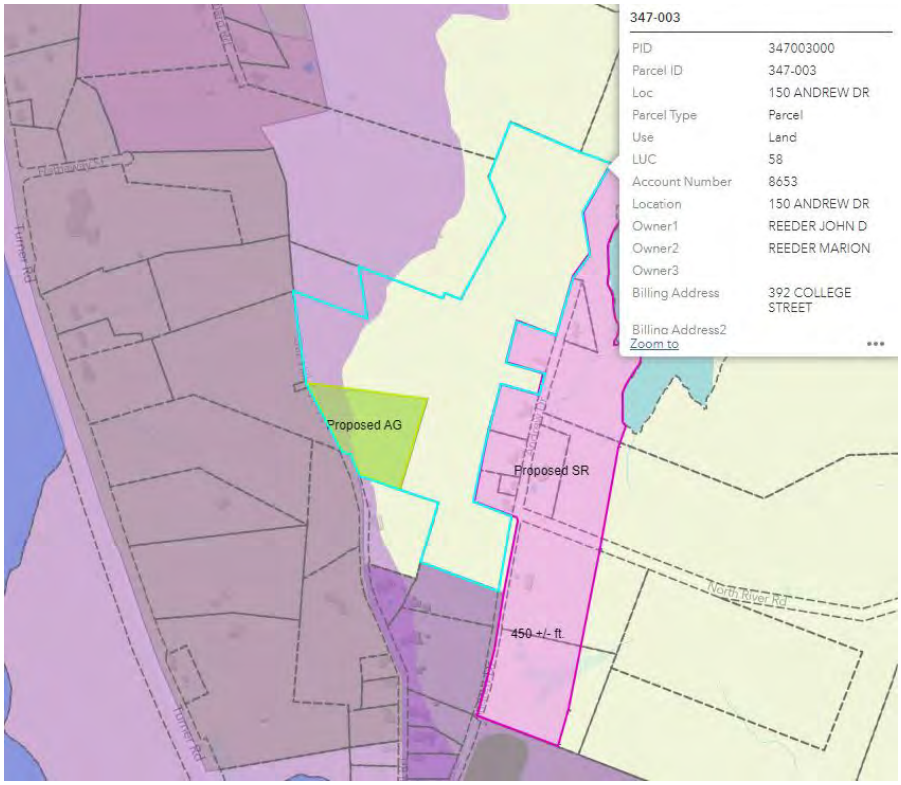


Figure 2—Possible future change not part of this petition.

The Board could instead opt to change the existing Low-Density Country Residential to Suburban Residential zoning or leave it as it is.

A second Comprehensive Plan supported option the Board could consider changing the area of the parcel proposed in the petition. This proposal could also be considered as an expansion of an existing historic core as referenced in the Comprehensive Plan:

"The Future Land Use Plan shows graphically how the City's land use policies apply to the land area of the community, and where and how growth and development should and should not be accommodated over the next decade. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. The intention is that this Future Land Use Plan will guide near-term revisions to the City's zoning ordinance and maps to assure that the City's land use regulations are consistent with the policies set forth in this Comprehensive Plan. In addition, by designating transitional districts, the Future Land Use Plan is designed to guide future zoning changes when the circumstances become appropriate.

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the historic cores (downtown, Danville, New Auburn, West Auburn, and East Auburn) and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services" (Chapter 2 Page 86)

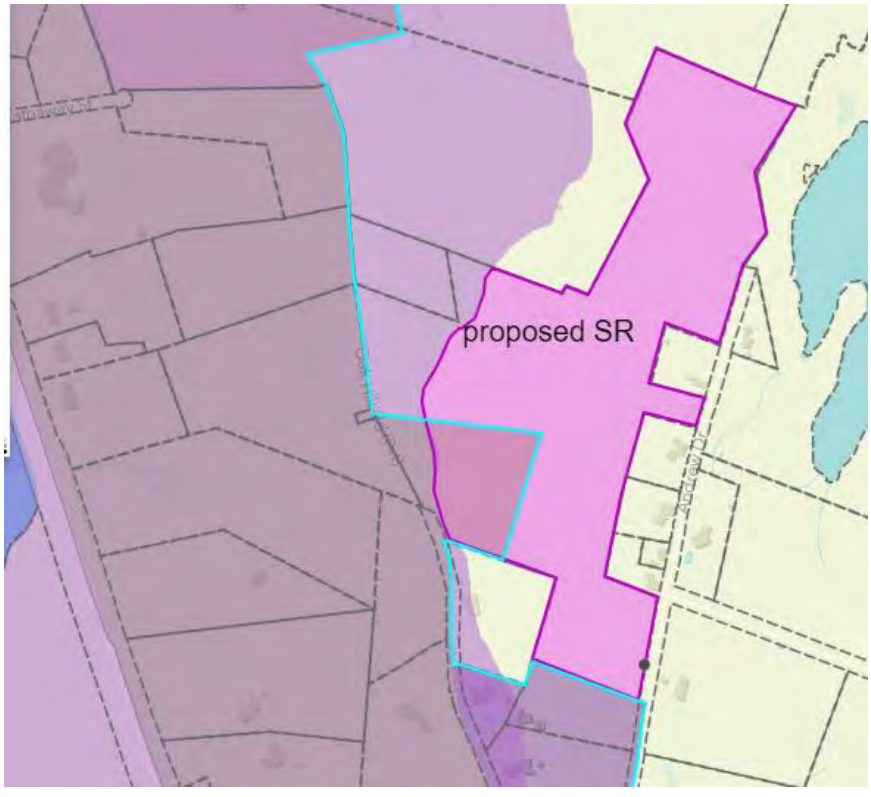


Figure 3—Second Comprehensive Plan Supported change, and the change requested in the petition.

Planning Board Action: Staff recommends that the planning board rezone 21.06 +/- acres bordering Andrew Drive in the AG zone to SR and leave 12.00 +/- acres remaining in the AG zone, and 4.66 +/- acres to remain in LDCR following the boundaries in figure 1; or that the planning board rezone 33.49 +/- acres of 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agricultural and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to Suburban Residential (SR) as shown in Figure 3.

Suggested Findings of Fact

1. The applicant submitted rezoning petitions and signatures, City Zoning maps with Parcels identified, 500' abutters list, and plans which met the standards the required materials to make the Zone change on October 3, 2022, thus meeting the time frame and submission standards (Sec. 60-1446).
2. The proposal can be implemented without detriment to city resources.
3. The proposal meets the general future land use plan pattern of development and is consistent with the current comprehensive plan.
4. The zone change will occur outside the Lake Auburn watershed.

Department Review

N/A

Suggested Motion

A. I make a motion to change 21.06 +/- acres of the 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG) to Suburban Residential (SR) outside the Lake Auburn Watershed, following the map depiction in *Figure 1.*

OR

B. I make a motion to amend 33.49 +/- acres of 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agricultural and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through and AG zone designation.

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Agricultural/Rural zoning portion of the zoning ordinance on (PID 347-003) to allow for a Zone change of Agriculture & Resource Protection Zone to Suburban Residential to support residential opportunities in an otherwise residential neighborhood along Andrews Drive and Oak Hill Road. The property has not been in agricultural use for the last 30 years. The lot is outside the floodplain. Of the 38.22 total acres, approximately 4.73 acres lies in the Lake Auburn Watershed District and would remain protected. Only the remaining 33.49+/- acres is recommended for a Zone change.

Print Name	City of Auburn Legal Address	Signature
Bridget Shea	126 Sunderland Dr	
Kimberly Jalbert	1160 STONE RD	
Greg Jalbert	1160 Stone Rd	
Lisa Whitman	15 Par Four Dr	
Heather Hill	166 Cook St. #2	
William Menke	377 Beech Hill Rd	
Korie Rano	53 Andrea Lane	Korie Rano
Tom Smith	29 Vista Dr	
Cindy McNeil	39 Vista Dr. Auburn	
Victoria Langlais	217 Third St	
Marissa Moreau	18 Hillsdale St	
Scott Berube	203 Hackett Rd	
Karen Boucher	65 Jennifer Dr	
Brian Boucher	65 Jennifer DR	
Carrie Whitmore	37 Rafneel St	
Anthony Facchiano	264 Beech Hill Rd	
Sandy Royal	250 Summer St Auburn	
Shannon Chabot	42 E Bates Auburn	
Eric Smith	150 Cedarwood Rd	
Tom Howaniec	134 Nottingham Rd	
Barbara Howaniec	134 Nottingham Rd	Barbara Howaniec
Karen Mathieu	9 Amberley Way	
Michael J. Mathieu	9 Amberley Way	
NR Lana Cassidy	94 Amberley Way	
NR Greg Cassidy	94 Amberley Way	
MARNIE DUBOIS	138 FAIRVIEW AVE	
Jessica Samson	60 Longburn Ct Aub	
Amy Landry	78 Bradliff Knoll Aub	

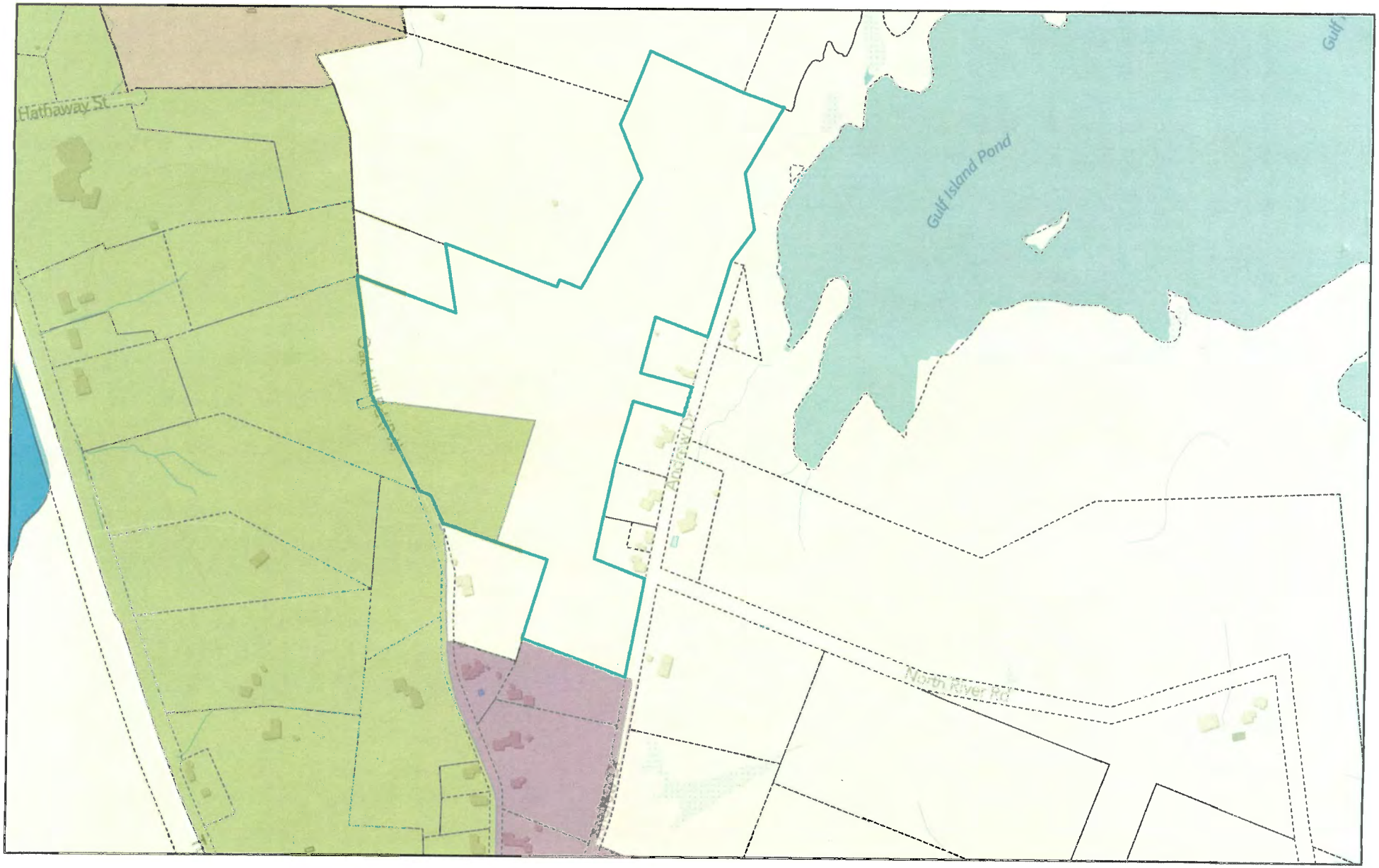
Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

98

Valid: 26 Invalid: 2

Amy F. Pepin
10/03/2022

ArcGIS Web Map



9/9/2022, 1:52:27 PM

Current Parcels _ Public

Auburn Zoning

AG - Agriculture and Resource Protection

LDCR - Low Density Country Residential

RR - Rural Residential

SR - Suburban Residential

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

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Web AppBuilder for ArcGIS

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60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:
John Reeder

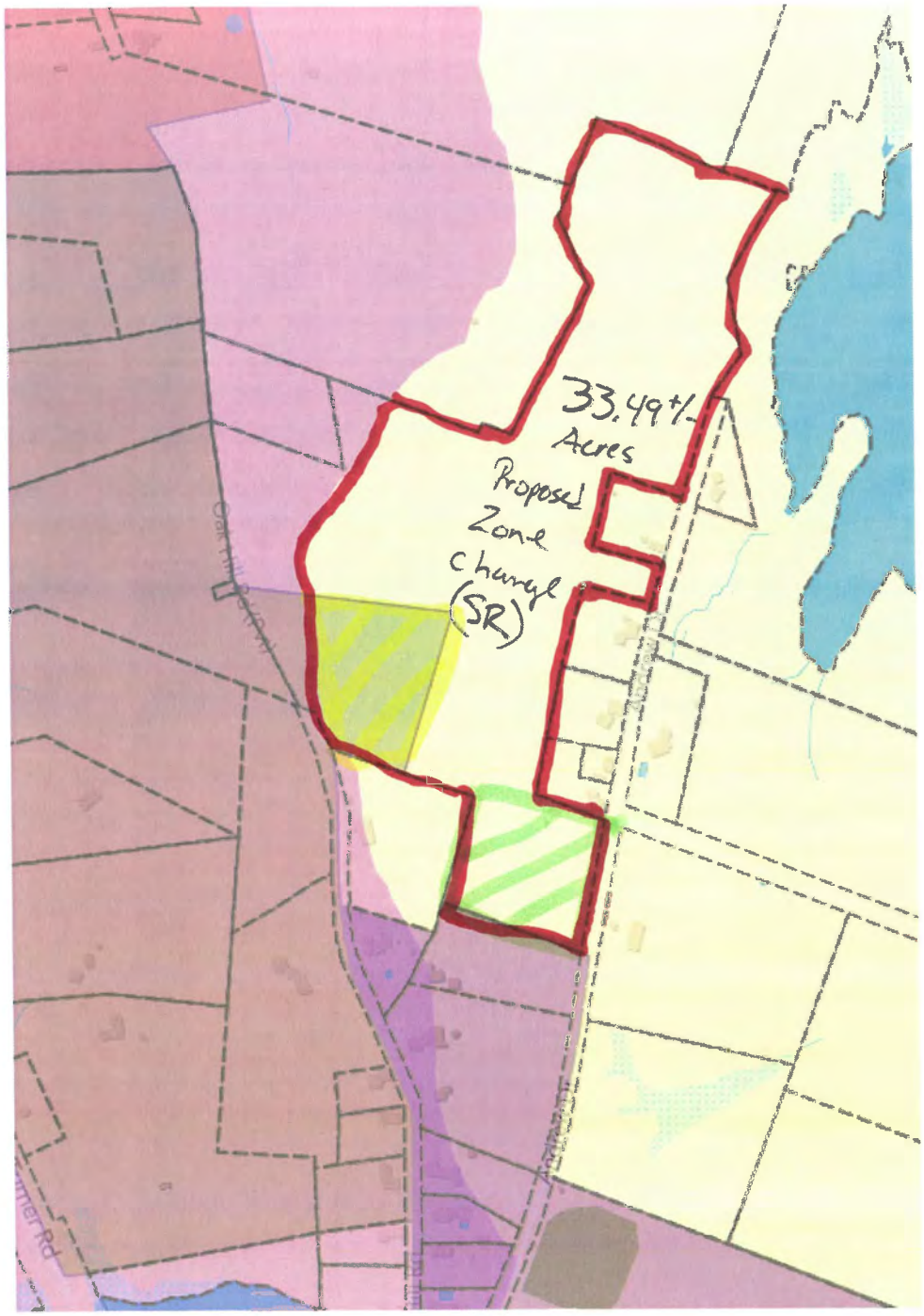
Receipt Number: TRC-018898-03-10-2022

Date: 10/03/2022

	Amount
PRIMARY FEES	
Invoice Number: 18315	
PL: Advertising - ZO/MA	$300.00
PL: Map Amendment	$400.00

PAYMENTS RECEIVED

Date	Payment Method	Check Number	Amount Received
10/03/2022	Check	1175	$700.00
	Total Payment		**$700.00**
	Change Due		$0.00



— Proposed Parcel Zone change

— Growth Area

— Limited growth Area

DIVISION 5. SUBURBAN RESIDENCE DISTRICT

Sec. 60-254. Purpose.

This district is intended to provide for, protect and stabilize low density suburban residential areas and their adjunct public and institutional uses. It is designed to ensure an open character of development through its lot size requirements and through permitting of certain uses, rural in nature, that are compatible with residential uses.

(Ord. of 9-21-2009, § 3.42A)

Sec. 60-255. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

(1) One-family detached dwellings.

(2) Two-family dwellings.

(3) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.

(4) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.

(5) Farming of field crops, row crops, orchards or truck gardens.

(6) Greenhouses.

(7) Licensed veterinarians, provided that the lot containing same is of at least three acres.

(8) Farm, livestock provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2 and:

a. A site plan be submitted to the municipal officer charged with enforcement that contains the information required by section 60-1301.

b. Upon request, the municipal officer charged with enforcement may waive the necessity of providing any of the foregoing information which is not relevant to the proposed development.

c. In judging whether or not a permit to operate an animal farm will be issued, the municipal officer charged with enforcement shall review and make a decision consistent with the finding requirements of section 60-1304.

(9) Wayside stands.

(10) Accessory uses, buildings or structures.

(11) Lawn maintenance services.

(12) Municipal uses and buildings.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with division 3 of article XVI of this chapter:

(1) All uses permitted by special exception in the Rural Residence (RR) District, except those uses allowed by section 60-229(b)(3), (9), (11) and (12).

(2) Professional offices may be created within existing single-family residences in existence at the time of adoption of this chapter, provided the following conditions are met:

a. Such residences shall have frontage on a major arterial as defined in the city's comprehensive plan.

b. Access to parking shall be located on the arterial frontage except for corner lots, in which case access may be located on the secondary roadway frontage.

c. In addition to meeting the requirements of article V of this chapter, required parking shall be separated from all lot lines by a buffer of 30 feet in width. Such buffer shall be vegetated in a manner to fully screen parked vehicles from view at the lot lines. A driveway serving such a parking area must be separated from the side lot line by a sight impervious fence of six feet in height or a buffer of ten feet in width meeting the vegetation requirements of this subsection (b)(2)c.

d. Signage shall be limited to a single nonilluminated sign with a maximum of 16 square feet of display per side.

(3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.42B; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-03012021, §§ 15—17, 3-15-2021)

Sec. 60-256. Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than 21,780 square feet, and measuring less than 150 feet in width; and measuring less than 125 feet in depth.

(2) *Density.* The density of dwelling units shall not exceed an average of two dwellings per acre.

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.

b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.

c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.

(4) *Height.* The height of all structures shall be limited to 2½ stories or 35 feet in height with the following exceptions: A farm accessory building or structure, church or temple, or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.

(5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.42C; Ord. No. 11-03012021, § 18, 3-15-2021)

Secs. 60-257—60-275. Reserved.

shoreland zoning under state law. It establishes water body setback requirements and performance standards and is being updated to reflect current state requirements.

3. Rural Residential Road Strips

The city has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip **may be provided** along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Consideration #2 – Reserve Area Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road is a "reserve area" where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Consideration #3 – Natural Resource Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Consideration #4 – Conservation/Open Space Adjacency

A residential strip **should not be provided** along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Consideration #5 -- Ability to Provide Public Services

A residential strip **should not be provided** along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

Consideration #6 – Water Quality Protection

A residential strip **should not be provided** along rural roads with undeveloped frontage that are in the watershed of Lake Auburn unless such development will not have an adverse impact on the lake's water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

4. NEIGHBORHOOD BUSINESS DISTRICTS

The city has several neighborhood businesses that are located within residential neighborhoods. It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents. It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved if it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities) if it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. If the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy

City of Auburn, Maine
Office of Planning & Permitting
Eric Cousens, Director
60 Court Street | Auburn, Maine
04210 www.auburnmaine.gov |
207.333.6601

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Recommendation to City Council on Zone Change Petition for 150 Andrew Drive (Parcel I.D. 347-003)

Date: November 15, 2022

This is the report from the Planning Board regarding the above-described map amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on November 15, 2022, the Planning Board forwards this report to the City Council.

Proposal: Petition/ Zone Change Request: Petition to amend the areas outside the Lake Auburn watershed: 33.49 +/- acres if 38.22 total areas on 150 Andrew Drive (Parcel I.D. 347-003) from Agricultural and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.576 acres, zoning districts to Suburban Residential (SR) zoning district. The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation. The proposal is pursuant to Chapter 60 Article XVII Division 2—Amendment to the Zoning Ordinance or Zoning Map.

Motion: Stacey LeBlanc; Second: Paul Jacques

"I make a motion to recommend changing 33.49 +/- acres of the 38.22 total acres on 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to the Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation."

Motion passes 5-1-1

ORDINANCE 24-12052022

City Council Ordinance

IN CITY COUNCIL

Zoning map amendment changing 33.49 +/- acres of the 38.22 total acres on the 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) zoning district.

Be it ordained, that the City Council approve the zoning map amendment changing 33.49 +/- acres of the 38.22 total acres on the 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), occupying 29.92 +/- acres, and Low-Density Country Residential (LDCR), occupying 3.57 +/- acres, zoning districts to the Suburban Residential (SR). The remaining 4.73 +/- acres in the Lake Auburn Watershed District would remain protected through an AG zone designation as shown on attached map.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City Council Workshop & Meeting
Agenda
December 19, 2022
Auburn Hall, Council Chambers

5:30 P.M. Joint Workshop of the City Council and School Committee

A. State of school and city
B. Accomplishments and Challenges
C. Outlook for FY24
D. School Committee and City Council discussion

6:15 P.M. City Council Workshop

A. Executive session - Legal consultation, pursuant to 1 M.R.S.A. Section 405(6)(E).

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Gerry

Pledge of Allegiance

I. Consent Items - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Order 161-12192022*
Re-appointing Susan Clements-Dallaire, City Clerk as the Registrar of Voters for the City of Auburn for a two-year term which will expire on 12/31/2024.

2. Order 162-12192022*
Confirming Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers within the City of Auburn.

3. Order 163-12192022*
Re-appointing Bryan Bachelder as Auburn's Local Sealer of Weights and Measures with a term expiration of December 31, 2023.

II. Minutes – December 5, 2022 Regular Council Meeting

III. Communications, Presentations and Recognitions

- Discussion with State Legislators
- Communication - Planning Board Policy Violation Legal Opinion (150 Andrew Drive)
- Communication - Shovel Ready Housing Update (Eric Cousens)
- Council Communications (about and to the community)

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business - None

VI. New Business

1. Resolve 09-12192022
Supporting a "rail with trail" recommendation from the Rail Use Advisory Council.

2. Order 164-12192022
Directing the Planning Board to review unhoused/homeless shelter related uses in the City of Auburn Zoning Districts.

3. Order 165-12192022
Allocating $145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)
- Mayor's Report
- City Councilors' Reports
- City Manager Report
- Jill Eastman, Finance Director – November Finance Report

IX. Executive Sessions
- Contract negotiations, pursuant to 1 M.R.S.A. Section 405(6)(D), with possible action to follow.
- Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C).
- Economic development, pursuant to 1 M.R.S.A. Section 405(6)(C), with possible action to follow.
- Personnel matter, pursuant to 1 M.R.S.A. Section 405(6)(A).

X. Adjournment

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Author: Sue Clements-Dallaire, City Clerk

Subject: Joint Workshop with City Council and School Committee

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Information:

Topics to be discussed are:

- State of school and city
- Accomplishments and Challenges
- Outlook for FY24
- School Committee and City Council discussion

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: None

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 161-12192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Appointment of Registrar of Voters

Information: The City Council must appoint a Registrar of Voters as outlined in Title 21-A, section 101. Sue has served as Deputy Registrar of Voters from 2008 – 2011 and Registrar of Voters since 2011. The term expiration for this appointment is 12/31/2024.

21-A, Sec. 101 - The municipal officers of each municipality shall appoint in writing a qualified registrar of voters by January 1st of each odd-numbered year. The registrar shall serve for 2 years and until a successor is appointed and sworn. The municipal clerk may be appointed to serve as registrar, but the term of the clerk has no effect on the term of the registrar. If the clerk is not appointed to serve as registrar, the clerk must be appointed by the registrar to serve as a deputy registrar and has the same authority as the registrar to make determinations of voter eligibility and to perform the duties of voter registration as provided in this Title.

City Budgetary Impacts: N/A

Staff Recommended Action: Recommend passage

Previous Meetings and History: Every two years

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell J.

Attachments: Order

ORDER 161-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Susan Clements-Dallaire as Registrar of Voters with a term expiration of December 31, 2024.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 162-12192022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn.

Information: Chief of Police Moen requests that the Auburn City Council appoint Civilian Process Servers (city employees and volunteers) to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) to serve documents within the City of Auburn for 2023.

City Budgetary Impacts: N/A

Staff Recommended Action: Vote to confirm Chief Moen's appointments of Civilian Process Servers to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2023.

Previous Meetings and History: November 6, 2017, January 23, 2017, February 5, 2018, January 7, 2019, February 3, 2020, December 21, 2020, January 3, 2022 – Annually and periodically, requests are made for appointments and re-appointments for the next or current calendar year.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:

ORDER 162-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoint the following named persons to serve documents as Civilian Process Servers (employees and volunteers) on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2023. Constable Process Servers (Private) are not an agent or employee of the city or entitled to hold himself/herself out as such and is not authorized to carry a firearm in the performance of his/her duties, and that his/her authority to act as a constable is limited to private employment as a process server.

Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Maegan Kyllonen	Employee	Civilian Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 163-12192022

Author: Sue Clements-Dallaire, City Clerk

Subject: Sealer of Weights and Measures

Information: The City Council appointed Bryan Bachelder as the city's local Sealer of Weights and Measures in February 2019. He is a retired Maine State Trooper with a history of weights and measures.

City Budgetary Impacts: None. No cost to the City.

Staff Recommended Action: Re-appoint Bryan Bachelder as the Sealer of Weights and Measures with a term expiration of December 31, 2023.

Previous Meetings and History: Appointed for 2019 on 2/25/2019 and has been re-appointed each year since.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Bryan Bachelder Certifications and Order.

National Conference on Weights and Measures

Professional Certification Program

Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Retail Motor Fuel Dispensing Systems

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney

BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

DATE OF CERTIFICATION

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

National Conference on Weights and Measures

Professional Certification Program

Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Small Capacity Weighing Systems Class III

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney

BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 26, 2018

DATE OF CERTIFICATION

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

§2461. ELECTION BY MUNICIPAL OFFICERS

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section.[2017, c. 172, §1(NEW).]

§2462. MUNICIPALITIES THAT DO NOT CHOOSE A SEALER

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality. [2017, c. 172, §1 (NEW).]

§2463. POWERS AND DUTIES

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section

2403. These powers and duties extend to the official's jurisdiction. [2017, c. 172, §1 (NEW).]
SECTION HISTORY 2017, c. 172, §1 (NEW).

§2464. RECORDS OF WEIGHTS AND MEASURES SEALED; ANNUAL REPORT
A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require. [2017, c. 172, §1 (NEW).]

ORDER 163-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Bryan Bachelder as the Local Sealer of Weights and Measures with a term expiration of December 31, 2023.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Mayor Levesque called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

7:00 P.M. City Council Meeting

Pledge of Allegiance

I. **Consent Items** – All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. **Order 156-12052022***
Confirming the Mayor's appointment of Scott Berry to the Mayor's Ad Hoc Committee to develop permit ready housing.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage.

Passage 7-0.

II. **Minutes** – November 21, 2022, Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Staples to approve the minutes of the November 21, 2022 Regular Council Meeting.

Passage 7-0.

III. **Communications, Presentations and Recognitions**

- Communication – Staff response to the Sustainability and Natural Resource Management Board (SNRB) communication (Phil Crowell)
- St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Update – Jonathan LaBonte
- Stage Purchase (carryover from the workshop) – Brian Wood
- Council Communications (about and to the community)

Mayor Levesque played a live TV commercial ad for Auburn's New Year's Auburn event. He gave a big thanks to Emerson Toyota for being a big sponsor, as well as Androscoggin Bank, Neocraft Signs, and Proctor and Gamble. The tree lighting is this week at Festival Plaza on Thursday at 6:00 pm and the Christmas Village opens at 4:00 pm.

Councilor Staples stated that he would like to sponsor an order for the next meeting to have the Planning Board take a look at our city zoning to determine whether or not there is an area for shelters.

Councilor Walker announced that Santa Claus is coming to Sullivan Park behind Rolly's Diner on Saturday at 5:00 pm.

City Manager Crowell reported on the Night Out at the Hilton held on Friday evening and the Regional Roundtable that was held with the Chamber.

IV. Open Session –

Pam Rousseau, 745 West Auburn Road expressed concerns with the number of realtors becoming more and more involved in our city and planning board decisions.

V. Unfinished Business - None

VI. New Business

1. Order 157-12052022
Authorizing the use of $35,000 in ARPA funds for the Auburn Heating Assistance Program.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public comment – No one from the public spoke.

Passage 7-0.

2. Order 158-12052022
Disposition of building located at 110 Hampshire Street under dangerous building statute. Public hearing. Hearing for parties with interest in property.
Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).

Motion was made by Councilor Walker and seconded by Councilor Whiting for passage.

Public hearing – Alexandria Savard, owner of 110 Hampshire Street spoke regarding issues with the property.

Passage 6-1 (Councilor Walker opposed). A roll call vote was taken.

3. Order 159-12052022
Approving the liquor license for Ryan & Connor Concessions Group, LLC, DBA: Ringers, located at 985 Turner Street. Public hearing.

Motion was made by Councilor Walker and seconded by Councilor Staples for passage.

Public hearing – No one from the public spoke.

Passage 7-0.

4. **Order 160-12052022**
Allocating up to $180,000 from the American Rescue Plan Act (ARPA) funds for the purchase of a portable Stage.

Motion was made by Councilor Staples and seconded by Councilor Hawes for passage.

Public comment – No one from the public spoke.

Motion was made by Councilor Whiting and seconded by Councilor Hawes to postpone this item until the second meeting in January.

Passage 7-0.

5. **Ordinance 24-12052022**
Zoning Map Amendment - Amending a portion of 150 Andrew Drive (Parcel I.D. 347-003) from Agriculture and Resource Protection (AG), and Low-Density Country Residential (LDCR), zoning districts to the Suburban Residential (SR) as recommended by the Planning Board. First Reading.

Motion was made by Councilor Staples and seconded by Councilor Morin for passage.

Motion was made by Councilor Whiting and seconded by Councilor Staples to remand to the planning board.

Public comment – Jeffrey Harmon, 34 Vista Drive wanted to clarify what happened at the Planning Board meeting, which he attended.

John Cleveland, 183 Davis Avenue, said that he concurs with what Mr. Harmon said and noted that he recommends that the Council obtains a legal written opinion on the procedure before moving forward. He provided his comments in writing to the City Council.

Motion was made by Councilor Gerry and seconded by Councilor Staples to add that it is subject to legal review.

Passage 7-0.

Passage of the order as amended, 7-0.

VII. Open Session – No one from the public spoke.

VIII. Reports (from sub-committees to Council)

Mayor Levesque, asked the Council if anyone would be interested in serving on the Airport Board, filling that opening. He reported on the upcoming School Committee

meeting where they will be discussing the budget, and the possibility of closing Lake Street School. Discussions are still moving forward on dual enrollment.

Councilor Gerry reported on the Thanksgiving Dinner that took place at the Senior Center on Thanksgiving Day.

Councilor Walker reported on the 9-1-1 meeting that was held last week.

Manager Crowell reported that the Legislative Policy Committee has prepared their list of legislative actions to move forward, and they are monitoring several bills. He also noted that he has asked that the incoming Legislators attend the December 19th meeting.

IX. Executive Sessions - None

X. Adjournment

Motion was made by Councilor Staples and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 8:26 pm.

A TRUE COPY ATTEST Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

JENSEN BAIRD
ATTORNEYS AT LAW

M E M O R A N D U M

TO: Mayor and City Councilors

CC: Phil Crowell, City Manager
Eric Cousens, Director of Planning and Permitting

FROM: Sally J. Daggett, Esq.

RE: Planning Board Policy on Board Member Conduct

DATE: December 15, 2022

I am writing in response to your inquiry regarding a recent incident at a Planning Board meeting. As I understand the facts, a member of the Board recused himself from a particular agenda item, left the dais, and then appeared before the Board on that agenda item. The agenda item was a public hearing on a zoning map change, and the Board member, a local real estate broker, appeared on behalf of his real estate client during the public hearing. The Board member's real estate client is the seller of the property that is the subject of the zoning map change.

Planning Board members serve in a quasi-judicial (literally "court-like") capacity in hearing and deciding permit applications. This means Board members are acting like judges on applications and so must be fair and impartial to everyone involved in a specific application – the applicant, the neighbors, other Board members and the general public. If certain procedural requirements are not followed, the Planning Board's decision could be invalidated by a reviewing court if it is challenged. Quasi-judicial proceedings must follow basic standards of due process, including: proper notice of the public meeting/hearing; providing everyone with an interest in the proceedings an opportunity to be heard and to hear what others have to say; full disclosure to everyone of the facts being considered by the board (*e.g.*, no *ex parte* communications, no investigative work by board members, and reliance only on information presented at the public meetings on the application); impartial decision-makers free from bias and conflicts of interest; and decisions based on the facts of the application, not on political pressure or vocal opposition.

Planning Board members are "municipal officials" as defined in State statute, 30-A M.R.S. § 2001(11). As a general rule, a conflict of interest occurs when a municipal official has a direct personal or pecuniary (*i.e.*, financial) interest in the outcome of a matter of official business. In Maine, there is both a statutory (30-A M.R.S. § 2605) and a case law (*see generally Tuscan v. Smith*, 130 Me. 36 (1931)) test for conflicts of interest. Even when an official's conduct is not specifically prohibited by law, competing interests and personal relationships could create an appearance of wrongdoing that could undermine the public trust in the integrity and impartiality of local government. State statute, 30-A M.R.S. § 2605(6), addresses this issue by providing that municipal officials shall "attempt to avoid the appearance of a conflict of interest by disclosure or by abstention."

The Maine conflict of interest statute does not expressly address whether a current Planning Board member may represent clients before the Board. Many municipal law practitioners, including MMA Legal Services, take the positon that the statute likely does prohibit a board member (including alternate members) from representing another applicant who is seeking the board's approval or a neighbor opposing a project, but that it is reasonable to interpret the statute to allow a board member to abstain and step down as a board member in order to present his/her own application to the board.

Here, the Planning Board's own Policies and Procedures specifically prohibit a regular board member from appearing before the Board, even on his or her own application:

> Any regular Board member may want to recuse him/herself from acting on the application/petition because of a conflict of interest or personal reason. Any member who does shall surrender his/her seat and either leave the chamber or sit in the back of the room. Such member shall not communicate with other members of the Board who are acting on an application/petition and shall not address the Board if they are a party at interest who is potentially affected by the application/petition.

City of Auburn Planning Board Policies and Procedures, Article VIII(G)(1). While the Policies and Procedures do not address what happens if there is a policy violation, it does appear that a violation of the policy occurred recently. My understanding is that the City Council has referred the zoning map change back to the Planning Board for the conduct of a new public hearing that does not involve the recused Planning Board member participating in the zoning map change matter in any fashion. That makes sense under the circumstances. Going forward, note that the Policies and Procedures are due to be reviewed in February of 2023 (*see* Article X); perhaps that is a good time to update the policy to distinguish between a board member's personal versus professional interest in an agenda item as well as to provide a refresher on the topic of conflicts of interest to Planning Board members.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 165-12192022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to fund the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans Proposal #2023-009 with ARPA Funds

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Information:. The competitive RFP was drafted and advertised through the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans, **Proposal #2023-009**. using the City of Auburn, procurement process. Two proposals were received on November 10th, 2022. Over the past few weeks, the Mayors Ad-hoc committee reviewed and scored the proposals with a selection score of (91) LeMessurier Consultants, Inc over Gawron Turgeon Architects (77).

Total contract would be $145,000.00 as we have negotiated that down by the original bid by $8,000.00.

City Budgetary Impacts: $145,000 allocated to ARPA funds.

Staff Recommended Action: Fully fund the Shovel Ready Housing Plans Proposal #2023-009 to LeMessurier Consultants.

Previous Meetings and History: September 6 & 19, 2022. The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. Ad-Hoc committee met on November 17 and December 8th 2022 to review and score proposals and provide direction.

City Manager Comments:
I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Ad-Hoc RFP Score.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19th, 2022 **Resolve:** 09-12192022

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: St. Lawrence and Atlantic Railroad – Berlin Subdivision (Rail Use Advisory Council) Resolve

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Information: A presentation was made to the City Council regarding the Rail Use Advisory Council (RUAC) process, studies and plan associated with this corridor, and a staff recommendation of a "rail with trail" position for the City of Auburn. This resolve will be advanced through the final two RUAC meetings where a report to the Commissioner of MaineDOT will be completed. Staff remain in active communication with the City of Portland and other partners and stakeholders to this corridor and its economic potential.

City Budgetary Impacts: None

Staff Recommended Action: Adoption of City Council Resolve at December 19th, 2022 meeting

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Previous Meetings and History: December 5th, 2022 presentation on RUAC process and rail corridor history

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City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments:
Draft Resolve

RESOLVE 09-12192022

City Council Resolve

IN CITY COUNCIL

WHEREAS, the Commissioner of the Maine Department of Transportation, pursuant to Public Law 21, Chapter 239, established a Rail Use Advisory Council to facilitate discussion, gather information, and provide advice regarding the future use of the state-owned section of the St. Lawrence and Atlantic Railroad Berlin Subdivision between Auburn and Portland; and

WHEREAS, the City of Auburn was provided a seat on said Council to provide input on city plans and policies relating to the future use of this rail corridor; and

WHEREAS, state of Maine acquired this corridor through two purchases, one in 2007 and another in 2010, as part of on-going planning for freight and passenger movements between the City of Portland and the City of Auburn; and

WHEREAS, the city has identified south Auburn as a growth area in its most recent Comprehensive Plan and multi-modal use of this corridor, including for active transportation, would increase its attractiveness for residential and commercial investment; and

NOW THEREFORE BE IT RESOLVED, that the Auburn City Council supports a "rail with trail" recommendation from the Rail Use Advisory Council and the expedited movement of any necessary planning and design work to implement that recommendation between Maine's largest city, Portland, and the city of Auburn.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 164-12192022

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Shelter Related Zoning – Directing Planning Board to review and provide a recommendation on potential zoning changes

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Information: The Current zoning ordinance does not allow general use shelters but does allow Shelters for abused persons. The Council indicated that they would like the Planning Board to consider allowing shelters for emergencies or other shelter based on non-emergency needs within the City in some locations. Considering the need to be proximate to other goods and services that a person residing in a shelter may need should be part of the consideration. A draft order for Council consideration is attached.

City Budgetary Impacts: Minimal for policy discussion.

Staff Recommended Action: Review draft order and modify it or vote to pass it to meet Council goals.

Previous Meetings and History: December 5, 2022 communications.

City Manager Comments:

I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Draft Order.

ORDER 164-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby directs the Planning Board to review unhoused/homeless shelter related uses in the City of Auburn Zoning Districts, with public input, and consider where shelters should be allowed. After initial review by the Planning Board the Council Directs the Planning Board to use the information from their review and initiate a zoning change including ordinance text, hold a public hearing and provide a recommendation to the City Council on a zoning amendment designating which types of shelters should be allowed and where they should be allowed as permitted uses or special exceptions in the City of Auburn.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large
Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor
Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022 **Order:** 165-12192022

Author: John Blais, Deputy Director of Planning, Permitting and Code

Subject: Directing the City Manager to fund the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans Proposal #2023-009 with ARPA Funds

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Information:. The competitive RFP was drafted and advertised through the Engineering and Architectural (AE) Proposal, Shovel Ready Housing Plans, **Proposal #2023-009**. using the City of Auburn, procurement process. Two proposals were received on November 10th, 2022. Over the past few weeks, the Mayors Ad-hoc committee reviewed and scored the proposals with a selection score of (91) LeMessurier Consultants, Inc over Gawron Turgeon Architects (77).

Total contract would be $145,000.00 as we have negotiated that down by the original bid by $8,000.00.

City Budgetary Impacts: $145,000 allocated to ARPA funds.

Staff Recommended Action: Fully fund the Shovel Ready Housing Plans Proposal #2023-009 to LeMessurier Consultants.

Previous Meetings and History: September 6 & 19, 2022. The Council on September 19, 2022, voted to direct the City Manager to draft a request for proposal (RFP) and budgeting for an architectural firm. Ad-Hoc committee met on November 17 and December 8th 2022 to review and score proposals and provide direction.

City Manager Comments:
I concur with the recommendation. Signature: Phillip Crowell Jr.

Attachments: Ad-Hoc RFP Score.

ORDER 165-12192022

City Council Order

IN CITY COUNCIL

ORDERED, that Auburn City Council allocates $145,000 of ARPA (American Rescue Plan Act) funds for the acquisition of the Shovel Ready Housing Plans.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

TO: **Phillip Crowell, City Manager**

FROM: **Jill Eastman, Finance Director**

REF: **November 2022 Financial Report**

DATE: **December 19, 2022**

The following is a discussion regarding the significant variances found in the City's November financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its fifth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 41.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through November 30th, including the school department were $48,180,162, or 45.01%, of the budget. The municipal revenues including property taxes were $33,721,039 or 47.85% of the budget which is less than last year by 0.68% which is $1,259,679 more in dollars. The accounts listed below are noteworthy.

A. State Revenue Sharing for the month of November is 61.99% or $2,791,878. This is an increase of $491,0181 from last November.

B. Current year Property Taxes for the month of November are 50.11% or $26,289,598 which is $1,075,450 more than last year.

60 Court Street • Suite 411 • Auburn, ME 04210
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www.auburnmaine.org

Expenditures

City expenditures through November 2022 were $26,695,655 or 52.03% of the budget. This is 2.49% less than the same period last year. The dollar amount is higher, due to the budget increase in FY 23. Noteworthy variances are:

A. Debt Service is higher than last year by $594,447.
B. Public works is higher than last year by $ 286,254.
C. Administration is higher than last year by $43,933, as is Community Services by $120,594 and Public Safety by $27,959 .

Investments

This section contains an investment schedule as of November 30th. Currently the City's funds are earning an average interest rate of 2.35%.

Respectfully submitted,

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of November 2022,October 2022, and June 2022

	November 2022	October 2022	Increase (Decrease)	UNAUDITED JUNE 30 2022
ASSETS				
CASH	$ 36,657,863	$ 41,544,703	$ (4,886,840)	$ 25,056,314
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	1,184,016	3,467,895	(2,283,879)	1,461,282
TAXES RECEIVABLE-CURRENT	23,174,917	23,476,571	(301,654)	42,636
DELINQUENT TAXES	451,375	451,415	(40)	395,714
TAX LIENS	933,058	965,967	(32,909)	1,297,627
NET DUE TO/FROM OTHER FUNDS	(11,539,778)	(11,632,671)	92,893	4,391,622
TOTAL ASSETS	**$ 50,861,451**	**$ 58,273,880**	**$ (7,412,429)**	**$ 32,645,195**
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	$ (129,033)	$ 24,374	$ (153,407)	$ (824,510)
PAYROLL LIABILITIES	3,968,052	(675,930)	4,643,982	2,948,844
ACCRUED PAYROLL	-	-	-	(263,746)
STATE FEES PAYABLE	-	(39,521)	39,521	(183)
ESCROWED AMOUNTS	(41,966)	(41,956)	(10)	(40,426)
DEFERRED REVENUE	(24,408,995)	(24,743,598)	334,603	(1,585,602)
DUE TO OTHER FUNDS	-	-	-	-
TOTAL LIABILITIES	**$ (20,611,942)**	**$ (25,476,631)**	**$ 4,864,689**	**$ 234,377**
FUND BALANCE - UNASSIGNED/ASSIGNED	$ (27,250,694)	$ (29,798,433)	$ 2,547,739	$ (29,880,756)
FUND BALANCE - RESTRICTED	(2,309,553)	(2,309,553)		(2,309,553)
FUND BALANCE - NON SPENDABLE	(689,263)	(689,263)	-	(689,263)
TOTAL FUND BALANCE	**$ (30,249,510)**	**$ (32,797,249)**	**$ 2,547,739**	**$ (32,879,572)**
TOTAL LIABILITIES AND FUND BALANCE	**$ (50,861,451)**	**$ (58,273,880)**	**$ 7,412,429**	**$ (32,645,195)**

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2022 VS November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	$ 52,463,320	$ 26,289,598	50.11%	$ 50,042,450	$ 25,214,148	50.39%	$ 1,075,450
PRIOR YEAR TAX REVENUE	$ -	$ 92,633		$ -	$ 340,243		$ (247,610)
HOMESTEAD EXEMPTION REIMBURSEMENT	$ 1,770,000	$ 1,322,921	74.74%	$ 1,650,000	$ 1,290,048	78.18%	$ 32,873
EXCISE	$ 4,435,000	$ 1,976,620	44.57%	$ 4,425,000	$ 1,996,853	45.13%	$ (20,233)
PENALTIES & INTEREST	$ 120,000	$ 19,952	16.63%	$ 120,000	$ 39,622	33.02%	$ (19,670)
TOTAL TAXES	$ 58,788,320	$ 29,701,725	50.52%	$ 56,237,450	$ 28,880,914	51.36%	$ 820,811
LICENSES AND PERMITS							
BUSINESS	$ 190,000	$ 121,931	64.17%	$ 166,000	$ 133,683	80.53%	$ (11,752)
NON-BUSINESS	$ 195,250	$ 137,440	70.39%	$ 300,200	$ 168,752	56.21%	$ (31,312)
TOTAL LICENSES	$ 385,250	$ 259,371	67.33%	$ 466,200	$ 302,435	64.87%	$ (43,064)
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	$ 400,000	$ -	0.00%	$ 390,000	$ -	0.00%	$ -
STATE REVENUE SHARING	$ 4,504,100	$ 2,791,878	61.99%	$ 3,150,000	$ 2,300,797	73.04%	$ 491,081
WELFARE REIMBURSEMENT	$ 83,912	$ 16,955	20.21%	$ 90,656	$ 14,756	16.28%	$ 2,199
OTHER STATE AID	$ 32,000	$ -	0.00%	$ 32,000	$ 12,579	39.31%	$ (12,579)
CITY OF LEWISTON	$ 182,000	$ -	0.00%	$ 228,384	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL ASSISTANCE	$ 5,202,012	$ 2,808,833	54.00%	$ 3,891,040	$ 2,328,132	59.83%	$ 480,701
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	$ 361,400	$ 49,046	13.57%	$ 184,400	$ 85,027	46.11%	$ (35,981)
PUBLIC SAFETY	$ 30,800	$ 38,340	124.48%	$ 176,600	$ 54,843	31.05%	$ (16,503)
EMS TRANSPORT	$ 1,350,000	$ 615,382	45.58%	$ 1,250,000	$ 628,250	50.26%	$ (12,868)
TOTAL CHARGE FOR SERVICES	$ 1,742,200	$ 702,769	40.34%	$ 1,611,000	$ 768,120	47.68%	$ (65,352)
FINES							
PARKING TICKETS & MISC FINES	$ 28,000	$ 10,627	37.95%	$ 41,500	$ 18,976	45.73%	$ (8,349)
MISCELLANEOUS							
INVESTMENT INCOME	$ 30,000	$ 21,538	71.79%	$ 40,000	$ 8,435	21.09%	$ 13,103
RENTS	$ 75,000	$ 2,614	3.49%	$ 125,000	$ 5,031	4.02%	$ (2,417)
UNCLASSIFIED	$ 20,000	$ 55,910	279.55%	$ 20,000	$ 20,701	103.51%	$ 35,209
COMMERCIAL SOLID WASTE FEES	$ -	$ 26,038		$ -	$ 24,966		$ 1,072
SALE OF PROPERTY	$ 100,000	$ 678	0.68%	$ 120,000	$ 1,113	0.93%	$ (435)
RECREATION PROGRAMS/ARENA							$ -
MMWAC HOST FEES	$ 240,000	$ 96,713	40.30%	$ 234,000	$ 96,713	41.33%	$ (0)
TRANSFER IN: TIF	$ 1,140,000	$ -	0.00%	$ 1,140,000	$ -	0.00%	$ -
TRANSFER IN: Other Funds	$ 619,000	$ -	0.00%	$ 473,925	$ -	0.00%	$ -
ENERGY EFFICIENCY							$ -
SPONSORSHIPS - ECON DEVELOPMENT	$ -	$ 32,700		$ -			$ 32,700
CDBG	$ 588,154	$ -	0.00%	$ 252,799	$ -	0.00%	$ -
UTILITY REIMBURSEMENT	$ 20,000	$ 1,523	7.62%	$ 20,000	$ 5,824	29.12%	$ (4,301)
CITY FUND BALANCE CONTRIBUTION	$ 1,500,000	$ -	0.00%	$ 475,000	$ -	0.00%	$ -
TOTAL MISCELLANEOUS	$ 4,332,154	$ 237,714	5.49%	$ 2,900,724	$ 162,783	5.61%	$ 74,931
TOTAL GENERAL FUND REVENUES	**$ 70,477,936**	**$ 33,721,039**	47.85%	**$ 65,147,914**	**$ 32,461,360**	49.83%	**$ 1,259,679**
SCHOOL REVENUES							
EDUCATION SUBSIDY	$ 34,826,024	$ 14,410,343	41.38%	$ 28,900,061	$ 13,064,442	45.21%	$ 1,345,901
EDUCATION	$ 489,465	$ 48,781	9.97%	$ 518,821	$ 259,257	49.97%	$ (210,476)
SCHOOL FUND BALANCE CONTRIBUTION	$ 1,251,726	$ -	0.00%	$ 879,404	$ -	0.00%	$ -
TOTAL SCHOOL	$ 36,567,215	$ 14,459,123	39.54%	$ 30,298,286	$ 13,323,699	43.98%	$ 1,135,424
GRAND TOTAL REVENUES	**$ 107,045,151**	**$ 48,180,162**	**45.01%**	**$ 95,446,200**	**$ 45,785,059**	**47.97%**	**$ 2,395,103**

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH November 30, 2022 VS November 30, 2021

DEPARTMENT	FY 2023 BUDGET	EXP THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	EXP THRU NOV 2021	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	$ 170,500	$ 48,176	28.26%	$ 104,850	$ 69,561	66.34%	$ (21,385)
CITY MANAGER	$ 510,978	$ 198,353	38.82%	$ 447,401	$ 224,679	50.22%	$ (26,326)
COMMUNICATIONS & ENGAGEMENT	$ 218,746	$ 69,720	31.87%	$ 911,637	$ 529,067	58.03%	$ (459,347)
CITY CLERK	$ 257,506	$ 117,923	45.79%	$ 237,474	$ 95,926	40.39%	$ 21,997
FINANCE	$ 1,138,802	$ 438,879	38.54%	$ 810,303	$ 302,265	37.30%	$ 136,614
HUMAN RESOURCES	$ 222,099	$ 84,141	37.88%	$ 220,250	$ 82,299	37.37%	$ 1,842
INFORMATION TECHNOLOGY	$ 827,000	$ 390,538	47.22%		$ -		$ 390,538
TOTAL ADMINISTRATION	$ 3,345,631	$ 1,347,730	40.28%	$ 2,731,915	$ 1,303,797	47.72%	$ 43,933
COMMUNITY SERVICES							
PLANNING & PERMITTING	$ 666,629	$ 294,009	44.10%	$ 900,583	$ 317,214	35.22%	$ (23,205)
ECONOMIC DEVELOPMENT	$ 286,598	$ 121,175	42.28%	$ 108,469	$ 38,235	35.25%	$ 82,940
BUSINESS & COMMUNITY DEVELOPMENT	$ 671,411	$ 117,951	17.57%	$ 512,260	$ 112,211	21.91%	$ 5,740
HEALTH & SOCIAL SERVICES	$ 119,875	$ 45,623	38.06%	$ 119,875	$ 32,084	26.76%	$ 13,539
RECREATION	$ 762,440	$ 251,381	32.97%	$ 584,056	$ 223,250	38.22%	$ 28,131
PUBLIC LIBRARY	$ 1,084,437	$ 451,850	41.67%	$ 1,052,163	$ 438,401	41.67%	$ 13,449
TOTAL COMMUNITY SERVICES	$ 3,591,390	$ 1,281,989	35.70%	$ 3,277,406	$ 1,161,395	35.44%	$ 120,594
FISCAL SERVICES							
DEBT SERVICE	$ 8,361,254	$ 7,549,963	90.30%	$ 7,734,169	$ 6,955,516	89.93%	$ 594,447
CAPITAL INVESTMENT AND PURCHASING	$ 672,473	$ 253,180	37.65%	$ 677,872	$ 250,155	36.90%	$ 3,025
WORKERS COMPENSATION	$ 698,000	$ 698,000	100.00%	$ 642,400	$ 642,400	100.00%	$ 55,600
WAGES & BENEFITS	$ 7,876,393	$ 2,723,280	34.58%	$ 7,334,932	$ 2,663,921	36.32%	$ 59,359
EMERGENCY RESERVE (10108062-670000)	$ 461,230	$ -	0.00%	$ 461,230	$ -	0.00%	$ -
TOTAL FISCAL SERVICES	$ 18,069,350	$ 11,224,423	62.12%	$ 16,850,603	$ 10,511,992	62.38%	$ 712,431
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	$ 5,693,284	$ 2,332,875	40.98%	$ 5,446,588	$ 2,341,984	43.00%	$ (9,109)
POLICE DEPARTMENT	$ 4,945,034	$ 1,750,161	35.39%	$ 4,343,924	$ 1,713,093	39.44%	$ 37,068
TOTAL PUBLIC SAFETY	$ 10,638,318	$ 4,083,036	38.38%	$ 9,790,512	$ 4,055,077	41.42%	$ 27,959
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	$ 5,600,109	$ 1,881,743	33.60%	$ 5,077,370	$ 1,680,977	33.11%	$ 200,766
SOLID WASTE DISPOSAL*	$ 1,320,000	$ 415,669	31.49%	$ 1,089,950	$ 330,181	30.29%	$ 85,488
WATER AND SEWER	$ 792,716	$ 390,602	49.27%	$ 792,716	$ 390,602	49.27%	$ -
TOTAL PUBLIC WORKS	$ 7,712,825	$ 2,688,014	34.85%	$ 6,960,036	$ 2,401,760	34.51%	$ 286,254
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	$ 205,000	$ 206,299	100.63%	$ 177,000	$ 177,680	100.38%	$ 28,619
E911 COMMUNICATION CENTER	$ 1,217,713	$ 608,856	50.00%	$ 1,161,479	$ 580,740	50.00%	$ 28,116
LATC-PUBLIC TRANSIT	$ 431,811	$ -	0.00%	$ 225,000	$ -	0.00%	$ -
LA ARTS	$ 30,000	$ 15,000	50.00%	$ 10,000	$ 10,000	100.00%	$ 5,000
TAX SHARING	$ 260,000	$ -	0.00%	$ 260,000	$ -	0.00%	$ -
TOTAL INTERGOVERNMENTAL	$ 2,144,524	$ 830,155	38.71%	$ 1,833,479	$ 768,420	41.91%	$ 61,735
COUNTY TAX	$ 2,761,220	$ 2,761,220	100.00%	$ 2,611,080	$ 2,611,080	100.00%	$ 150,140
TIF (10108058-580000)	$ 3,049,803	$ 2,479,088	81.29%	$ 3,049,803	$ 2,867,365	94.02%	$ (388,277)
OVERLAY	$ -	$ -		$ -	$ -		$ -
							$ -
TOTAL CITY DEPARTMENTS	**$ 51,313,061**	**$ 26,695,655**	**52.03%**	**$ 47,104,834**	**$ 25,680,886**	**54.52%**	**$ 1,014,769**
EDUCATION DEPARTMENT	$ 55,732,090	$ 15,329,888	27.51%	$ 48,341,366	$ 12,205,535	25.25%	$ 3,124,353
TOTAL GENERAL FUND EXPENDITURES	**$ 107,045,151**	**$ 42,025,543**	**39.26%**	**$ 95,446,200**	**$ 37,886,421**	**39.69%**	**$ 4,139,122**

CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF November 30, 2022

INVESTMENT		FUND	BALANCE November 30, 2022	BALANCE October 31, 2022	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	$ 11,144,532.85	$ 7,338,495.11	**0.80%**
ANDROSCOGGIN BANK	502	SR-TIF	$ 1,053,223.52	$ 1,053,403.90	**0.80%**
ANDROSCOGGIN BANK	836	GENERAL FUND	$ 11,392,463.31	$ 17,206,394.12	**0.80%**
ANDROSCOGGIN BANK	801	WORKERS COMP	$ 52,694.79	$ 52,664.21	**0.80%**
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	$ 340,707.64	$ 340,509.84	**0.80%**
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	$ 227,492.44	$ 227,360.38	**0.80%**
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	$ 467,163.15	$ 466,891.99	**0.80%**
ANDROSCOGGIN BANK		ELHS CONSTRUCTION	$ 564,686.75	$ 497,549.87	**0.80%**
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	$ 15,416.49	$ 15,407.58	**0.80%**
NOMURA 1		ELHS Bond Proceeds	$ -	$ 5,840,941.97	**0.15%**
NOMURA 2		ELHS Bond Proceeds	$ 51,859,388.00	$ 55,430,000.00	**2.08%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ 250,000.00	**4.25%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ 250,000.00	**3.95%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ 250,000.00	**3.95%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ 250,000.00	**4.50%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ -	**4.40%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ -	**4.60%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ -	**4.85%**
Northern Capital Securities	CD	GENERAL FUND	$ 250,000.00	$ -	**4.70%**
GRAND TOTAL			**$ 79,117,768.94**	**$ 89,469,618.97**	**2.35%**

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	Beginning Balance 11/1/2022	November 2022 New Charges	Payments	Refunds	Adjustments	Write-Offs	Ending Balance 11/30/2022
Bluecross	**$ 14,594.73**	$ 10,192.40	$ (5,333.61)	$ 324.40	$ (10,373.75)		**$ 9,404.17**
Intercept	**$ 300.00**	$ 200.00	$ (300.00)				**$ 200.00**
Medicare	**$ 128,143.62**	$ 154,190.50	$ (55,140.89)		$ (110,706.74)		**$ 116,486.49**
Medicaid	**$ 63,468.03**	$ 68,679.75	$ (36,812.49)		$ (22,917.64)		**$ 72,417.65**
Other/Commercial	**$ 77,599.03**	$ 18,577.60	$ (23,103.13)	$ 81.10	$ 5,055.93		**$ 78,210.53**
Patient	**$ 148,497.08**	$ 18,078.20	$ (12,268.68)	$ -	$ (494.73)	$ 364.53	**$ 154,176.40**
Worker's Comp	**$ -**	$ 1,805.20	$ (1,311.92)		$ (493.28)		**$ -**
TOTAL	**$ 432,602.49**	**$ 271,723.65**	**$ (134,270.72)**	**$ 405.50**	**$ (139,930.21)**	**$ 364.53**	**$ 430,895.24**

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	July 2022	August 2022	Sept 2022	Oct 2022	Nov 2022	Totals	% of Total
Bluecross	$ 2,477.35	$ 13,307.40	$ 13,596.80	$ 10,192.40	$ 10,192.40	$ 49,766.35	3.41%
Intercept	$ 100.00	$ -	$ 100.00	$ 200.00	$ 200.00	$ 600.00	0.04%
Medicare	$ 155,398.20	$ 205,712.40	$ 155,567.20	$ 154,190.50	$ 154,190.50	$ 825,058.80	56.56%
Medicaid	$ 61,000.80	$ 82,386.60	$ 63,625.60	$ 68,679.75	$ 68,679.75	$ 344,372.50	23.61%
Other/Commercial	$ 38,520.45	$ 50,549.60	$ 28,756.00	$ 18,577.60	$ 18,577.60	$ 154,981.25	10.62%
Patient	$ 8,120.20	$ 12,558.80	$ 18,008.60	$ 18,078.20	$ 18,078.20	$ 74,844.00	5.13%
Worker's Comp	$ 1,803.40	$ 3,664.60	$ -	$ 1,805.20	$ 1,805.20	$ 9,078.40	0.62%
TOTAL	$ 267,420.40	$ 368,179.40	$ 279,654.20	$ 271,723.65	$ 271,723.65	$ 1,458,701.30	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2022 - June 30, 2023
Report as of November 30, 2022

	July 2022	August 2022	Sept 2022	Oct 2022	Nov 2022	Totals	% of Total
Bluecross	3	13	14	14	11	55	3.41%
Intercept	1	0	1	2	2	6	0.37%
Medicare	170	231	170	180	170	921	57.13%
Medicaid	65	88	69	55	77	354	21.96%
Other/Commercial	43	54	30	23	21	171	10.61%
Patient	10	13	19	34	20	96	5.96%
Worker's Comp	2	4		1	2	9	0.56%
TOTAL	294	403	303	309	303	1612	100.00%

EMS BILLING
AGING REPORT
July 1, 2022 to June 30, 2023
Report as of November 30, 2022

	Current		31-60		61-90		91-120		121+ days		Totals	
Bluecross	$ 5,412.40	58%	$ -	0%	$ 1,624.44	17%	$ -	0%	$ 2,367.33	25%	$ 9,404.17	2.18%
Intercept	$ 100.00	50%	$ -	0%	$ -	0%	$ -	0%	$ 100.00	50%	$ 200.00	0.05%
Medicare	$ 77,057.20	66%	$ 23,679.80	20%	$ 8,704.00	7%	$ 174.80	0%	$ 6,870.69	6%	$ 116,486.49	27.03%
Medicaid	$ 32,571.83	45%	$ 9,078.05	13%	$ 13,259.40	18%	$ 8,441.90	12%	$ 9,066.47	13%	$ 72,417.65	16.81%
Other/Commercial	$ 19,886.58	25%	$ 13,362.84	17%	$ 10,545.40	13%	$ 11,915.60	15%	$ 22,500.11	29%	$ 78,210.53	18.15%
Patient	$ 41,944.91	27%	$ 36,075.83	23%	$ 25,097.07	16%	$ 20,458.88	13%	$ 30,599.71	20%	$ 154,176.40	35.78%
Worker's Comp											$ -	0.00%
TOTAL	$ 176,972.92		$ 82,196.52		$ 59,230.31		$ 40,991.18		$ 71,504.31		$ 430,895.24	
	41%		19%		14%		10%		17%		100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of November 30, 2022

.	1902 Riverwatch	1910 Community Service	1914 Oak Hill Cemeteries	1915 Fire Training Building	1917 Wellness Grant	1928 Vending	1929 Fire Prevention	1931 Donations	2003 Byrne JAG	2005 MDOT	2008 Homeland Security	2010 State Drug Money	2011 PD Capital Reserve	2013 OUI Grant	2014 Speed Grant	2016 Pedestrian Safety
Fund Balance 7/1/22	$ 517,052.67	$ 6,919.98	$ 34,914.39	$ 1,421.68	$ 3,039.35	$ -	$ 4,796.03	$ 169.19	$ 2,808.57	$ 79,868.61	$ (153,799.68)	$ 4,289.65	$ 23,595.00	$ 4,356.29	$ 5,520.52	$ 409.11
Revenues FY23	$ 33,536.69	$ 669.00	$ 1,180.37		$ 3,795.00	$ 100.00				$ 75,100.00		$ 45.00	$ 6,765.00		$ 3,193.29	$ 1,053.34
Expenditures FY23	$ 145,743.00				$ 701.58	$ 397.81		$ 382.50		$ 320,738.21	$ 19,260.71	$ 1,376.60	$ -		$ 2,820.39	$ 917.14
Fund Balance 11/30/2022	**$ 404,846.36**	**$ 7,588.98**	**$ 36,094.76**	**$ 1,421.68**	**$ 6,132.77**	**$ (297.81)**	**$ 4,796.03**	**$ (213.31)**	**$ 2,808.57**	**$ (165,769.60)**	**$ (173,060.39)**	**$ 2,958.05**	**$ 30,360.00**	**$ 4,356.29**	**$ 5,893.42**	**$ 545.31**

	2018 Nat Opioid Settlement	2019 Law Enforcement Training	2020 CDBG	2025 Community Cords	2026 State Grant Non-GA Heat Asst	2030 Parking	2034 EDUL Underage Drink	2037 Bulletproof Vests	2040 Great Falls TV	2041 Blanche Stevens	2043 DOJ Covid 19 Preventative	2044 Federal Drug Money	2047 American Firefighter Grant	2048 TD Tree Days	2050 Project Lifesaver	2051 Project Canopy
Fund Balance 7/1/22	$ -	$ (8,205.29)	$ 1,069,816.45	$ 30,822.46	$ -	$ 46,171.40	$ 2,560.00	$ 8,281.24	$ 20,536.23	$ 22,850.45	$ (930.00)	$ 92,332.26	$ (1,695.00)	$ -	$ 189.35	$ (9,519.48)
Revenues FY23	$ 78,699.07		$ 422,130.31	$ 119.34	$ 31,165.02	$ 69,939.50				$ 3,360.73		$ 15,066.91		$ 9,600.00		$ 7,996.88
Expenditures FY23			$ 569,566.44	$ 137.00		$ 81,021.45		$ 2,909.14		$ 1,945.50		$ 3,281.27		$ 9,786.95		
Fund Balance 11/30/2022	**$ 78,699.07**	**$ (8,205.29)**	**$ 922,380.32**	**$ 30,804.80**	**$ 31,165.02**	**$ 35,089.45**	**$ 2,560.00**	**$ 5,372.10**	**$ 20,536.23**	**$ 24,265.68**	**$ (930.00)**	**$ 104,117.90**	**$ (1,695.00)**	**$ (186.95)**	**$ 189.35**	**$ (1,522.60)**

	2053 St Louis Bells	2054 EMS Transport Capital Reserve	2055 Work4ME-PAL	2059 Distracted Driving	2067 Hometown Heros Banners	2068 Northern Borders Grant	2070 Leadercast	2077 CTCI Gramt	2080 Futsol Court Project	2300 ARPA Grant	2400 NRPA Youth Mentoring	2405 Elmina B Sewall Grant	2500 Parks & Recreation	6200 Ingersoll Turf
Fund Balance 7/1/22	$ 21,359.27	$ 170,048.62	$ 4,911.03	$ 898.69	$ 209.00	$ 178,046.71	$ (3,500.00)	$ 1,719.02	$ 25,353.61	$ 12,716,078.13	$ (1,443.69)	$ 10,000.00	$ 232,365.87	
Revenues FY23	$ (178.56)	$ 175,515.84		$ 508.14						$ 15,424.33	$ 6,829.89		$ 169,345.82	
Expenditures FY23				$ 604.26				$ 481.25		$ 709,671.44	$ 8,494.53		$ 289,372.03	
Fund Balance 11/30/2022	**$ 21,180.71**	**$ 345,564.46**	**$ 4,911.03**	**$ 802.57**	**$ 209.00**	**$ 178,046.71**	**$ (3,500.00)**	**$ 1,237.77**	**$ 25,353.61**	**$ 12,021,831.02**	**$ (3,108.33)**	**$ 10,000.00**	**$ 112,339.66**	**$ -**

	2600 Tambrands II TIF 6	2600 Mall TIF 9	2600 Downtown TIF 10	2600 Auburn Industrial TIF 12	2600 Auburn Plaza TIF 13	2600 Auburn Plaza II TIF 14	2600 Webster School TIF 16	2600 Hartt Transport TIF 19	2600 62 Spring St TIF 20	2600 Minot Ave TIF 21	2600 48 Hampshire St TIF 22	2600 Auburn Memory Care Facility TIF 23	2600 Millbran TIF 24	2600 Futurguard TIF 25	2600 W Shore Landing TIF 26	Total Special Revenues
Fund Balance 7/1/22	**$ 78,950.70**	**$ 806,274.01**	**$ 237,684.12**	**$ (519,427.49)**	**$ 455,494.65**	**$ (900,465.25)**	**$ (0.03)**	**$ (2,663.69)**	$ 1,120.91	$ 50,241.31	$ 84,060.95	$ 33,113.81	$ 13,914.35	$ (102,204.06)	$ -	$ 15,400,711.98
Revenues FY23	$ 190,974.78		$ 865,341.00	$ 157,316.00	$ 294,264.43	$ 448,773.33	$ 48,589.45	$ 30,616.50	$ 56,495.08	$ 48,218.63	$ 96,002.45	$ 113,293.40	$ 35,248.40	$ 34,426.44	$ 59,527.65	$ 3,610,048.45
Expenditures FY23			$ 299,441.66	$ 244,200.00	$ 69,152.14	$ 105,461.73	$ 14,576.84			$ 12,054.66	$ 24,000.61	$ 136,134.34	$ 17,624.20	$ 5,996.98		$ 3,098,252.36
Fund Balance 11/30/2022	**$ 269,925.48**	**$ 806,274.01**	**$ 803,583.46**	**$ (606,311.49)**	**$ 680,606.94**	**$ (557,153.65)**	**$ 34,012.58**	**$ 27,952.81**	**$ 57,615.99**	**$ 86,405.28**	**$ 156,062.79**	**$ 10,272.87**	**$ 31,538.55**	**$ (73,774.60)**	**$ 59,527.65**	$ 15,912,508.07

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for November 30, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of November 30, 2022.

INGERSOLL TURF FACILITY

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of November 30, 2022.

Current Assets:
As of the end of November 2022 the total current assets of Ingersoll Turf Facility were $236,476. This consisted of cash and cash equivalents.

Noncurrent Assets:
Ingersoll's noncurrent assets are the building, and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of November 30, 2022, were $61,779.

Liabilities:
Ingersoll had accounts payable of $405 as of November 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through November 2022 are $52,046. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through November 2022 were $17,710. These expenses include program costs and capital purchases. Personal and operating costs are now in the Recreation budget.

As of November 2022, Ingersoll has an operating gain of $34,336 compared to a net gain in October of $8,533.

As of November 30, 2022, Ingersoll has an increase in net assets of $34,336.

The budget to actual reports for revenue and expenditures, show that the revenue for FY23 compared to FY 22.

Statement of Net Assets
Ingersoll Turf Facility
November 30, 2022
Business-type Activities - Enterprise Fund

		November 30, 2022	October 31, 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 227,360	$ 227,273	$ 87
Interfund receivables/payables		$ 9,116	$ -	9,116
Accounts receivable		-	-	-
	Total current assets	236,476	227,273	9,203
Noncurrent assets:				
Capital assets:				
Buildings		672,279	672,279	-
Equipment		119,673	119,673	-
Land improvements		18,584	18,584	-
Less accumulated depreciation		(748,757)	(748,757)	-
	Total noncurrent assets	61,779	61,779	-
	Total assets	298,255	289,052	9,203
LIABILITIES				
Accounts payable		$ 405	$ -	405
Interfund payable		$ -	$ 17,005	(17,005)
Total liabilities		405	17,005	(16,600)
NET ASSETS				
Invested in capital assets		$ 61,779	$ 61,779	$ -
Unrestricted		$ 236,071	$ 210,268	$ 25,803
Total net assets		**$ 297,850**	**$ 272,047**	**$ 25,803**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
November 30, 2022

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	$ 52,046
Operating expenses:	
Personnel	172
Supplies	4,761
Utilities	
Repairs and maintenance	-
Rent	-
Depreciation	-
Capital expenses	11,136
Other expenses	1,641
Total operating expenses	17,710
Operating gain (loss)	34,336
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	34,336
Transfers out	-
Change in net assets	34,336
Total net assets, July 1	263,514
Total net assets, November 30, 2022	**$ 297,850**

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through November 30, 2022 compared to November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship		$ 1,500		$ 25,000	$ 2,525	10.10%
Batting Cages		$ 2,855		$ 16,000	$ 3,390	21.19%
Programs		$ 12,801		$ 94,000	$ 14,119	15.02%
Rental Income		$ 34,717		$ 138,000	$ 26,680	19.33%
TOTAL CHARGE FOR SERVICES	$ -	$ 51,873		$ 273,000	$ 46,714	17.11%
INTEREST ON INVESTMENTS	$ -	$ 173		$ -	$ 258	
GRAND TOTAL REVENUES	**$ -**	**$ 52,046**		**$ 273,000**	**$ 46,972**	**17.21%**

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through August 31, 2022 compared to August 31, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU NOV 2021	% OF BUDGET	Difference
Salaries & Benefits	See Recreation B	$ 172		$ 133,041	$ 42,732	32.12%	$ (42,560)
Purchased Services				$ 15,750	$ 202	1.28%	$ (202)
Programs		$ 4,761		$ 16,300	$ -	0.00%	$ 4,761
Supplies		$ 1,641		$ 2,500	$ 3,916	156.64%	$ (2,275)
Utilities				$ 24,150	$ 4,403	18.23%	$ (4,403)
Insurance Premiums	$ -			$ -	$ -		
Capital Outlay	$ -	$ 11,136		$ -	$ -		$ 11,136
	$ -	$ 17,710		$ 191,741	$ 51,253	26.73%	$ (33,543)
GRAND TOTAL EXPENDITURES	**$ -**	**$ 17,710**		**$ 191,741**	**$ 51,253**	**26.73%**	**$ (33,543)**

City of Auburn, Maine
Finance Department
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for November 30, 2022

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of November 30, 2022.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:
The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, October 31, 2022.

Current Assets:
As of the end of November 2022 the total current assets of Norway Savings Bank Arena were ($1,340,177). These consisted of cash and cash equivalents of $280,889, accounts receivable of $99,561, and an interfund payable of $1,720,627.

Noncurrent Assets:
Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of November 30, 2022, was $147,691.

Liabilities:
Norway Arena had no accounts payable as of November 30, 2022.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through November 2022 are $322,756. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through November 2022 were $279,392. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of November 2022, Norway Arena had an operating gain of $43,364.

As of November 30, 2022 Norway Arena has a increase in net assets of $43,364

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY23 is $405 more than in FY22 and expenditures in FY23 are $64,215 more than last year in November.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
November 30, 2022
Business-type Activities - Enterprise Fund

		November 30 2022	October 31 2022	Increase/ (Decrease)
ASSETS				
Current assets:				
Cash and cash equivalents		$ 280,889	$ 280,504	$ 385
Interfund receivables		$ (1,720,627)	$ (1,732,572)	$ 11,945
Prepaid Rent				$ -
Accounts receivable		99,561	90,515	$ 9,046
	Total current assets	(1,340,177)	(1,361,553)	21,376
Noncurrent assets:				
Capital assets:				
Buildings		58,223	58,223	-
Equipment		514,999	514,999	-
Land improvements		-	-	-
Less accumulated depreciation		(425,531)	(425,531)	-
	Total noncurrent assets	147,691	147,691	-
	Total assets	(1,192,486)	(1,213,862)	21,376
LIABILITIES				
Accounts payable		$ -	$ -	$ -
Net OPEB liability		$ 43,810	$ 43,810	$ -
Net pension liability		42,634	42,634	-
Total liabilities		86,444	86,444	-
NET ASSETS				
Invested in capital assets		$ 147,691	$ 147,691	$ -
Unrestricted		$ (1,426,621)	$ (1,447,997)	$ 21,376
Total net assets		**$ (1,278,930)**	**$ (1,300,306)**	**$ 21,376**

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
November 30, 2022

	Norway Savings Arena
Operating revenues:	
Charges for services	$ 322,756
Operating expenses:	
Personnel	141,204
Supplies	15,867
Utilities	47,715
Repairs and maintenance	36,842
Insurance Premium	-
Depreciation	
Capital expenses	23,794
Other expenses	13,970
Total operating expenses	279,392
Operating gain (loss)	43,364
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	43,364
Transfers out	-
Change in net assets	43,364
Total net assets, July 1	(1,322,294)
Total net assets, November 30, 2022	**$ (1,278,930)**

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through November 30, 2022 compared to November 30, 2021

REVENUE SOURCE	FY 2023 BUDGET	ACTUAL REVENUES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL REVENUES THRU NOV 2021	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concssions	$ 16,500		0.00%	$ 16,500	$ 7,250	43.94%	$ (7,250)
Skate Rentals	$ 6,000		0.00%	$ 6,000	$ 425	7.08%	$ (425)
Pepsi Vending Machines	$ 2,000	$ 523	26.15%	$ 2,000	$ 494	24.70%	$ 29
Games Vending Machines	$ 3,000		0.00%	$ 3,000	$ -	0.00%	$ -
Vending Food	$ 2,000	$ 374	18.70%	$ 2,000	$ 66	3.30%	$ 308
Sponsorships	$ 230,000	$ 81,053	35.24%	$ 185,000	$ 69,960	37.82%	$ 11,093
Pro Shop	$ 7,000	$ 1,755	25.07%	$ 7,000	$ 2,169	30.99%	$ (414)
Programs	$ 20,000		0.00%	$ 20,000	$ -	0.00%	$ -
Rental Income	$ 702,000	$ 181,059	25.79%	$ 683,500	$ 218,627	31.99%	$ (37,568)
Camps/Clinics	$ 50,000	$ 21,010	42.02%	$ 50,000	$ 23,360	46.72%	$ (2,350)
Tournaments	$ 50,000	$ 36,982	73.96%	$ 50,000	$ -	0.00%	$ 36,982
TOTAL CHARGE FOR SERVICES	$ 1,088,500	$ 322,756	29.65%	$ 1,025,000	$ 322,351	31.45%	$ 405

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through November 30, 2022 compared to November 30, 2021

DESCRIPTION	FY 2023 BUDGET	ACTUAL EXPENDITURES THRU NOV 2022	% OF BUDGET	FY 2022 BUDGET	ACTUAL EXPENDITURES THRU NOV 2021	% OF BUDGET	VARIANCE
Salaries & Benefits	$ 291,095	$ 141,204	48.51%	$ 339,437	$ 82,316	24.25%	$ 58,888
Purchased Services	$ 136,900	$ 50,812	37.12%	$ 123,928	$ 15,046	12.14%	$ 35,766
Supplies	$ 76,562	$ 15,867	20.72%	$ 79,000	$ 29,966	37.93%	$ (14,099)
Utilities	$ 267,000	$ 47,715	17.87%	$ 250,350	$ 87,849	35.09%	$ (40,134)
Capital Outlay	$ 50,000	$ 23,794	47.59%	$ 42,500	$ -	0.00%	$ 23,794
Rent	$ -	$ -		$ -	$ -		$ -
	$ 821,557	$ 279,392	34.01%	$ 835,215	$ 215,177	25.76%	$ 64,215
GRAND TOTAL EXPENDITURES	**$ 821,557**	**$ 279,392**	**34.01%**	**$ 835,215**	**$ 215,177**	**25.76%**	**$ 64,215**

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Contract Negotiations, pursuant to 1 M.R.S.A. Section 405(6) (D) with possible action to follow.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) with possible action to follow.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

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(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 19, 2022

Subject: Executive Session

Information: Personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:
(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

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H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.