There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:

CONSENT AGENDA:

18-166 City Manager (Bureau of City Clerk)
BE IT ORDERED, that the minutes of the City Council Regular Business Meeting held October 18, 2018, submitted by the City Clerk’s office be approved.

18-167 Mayor
BE IT ORDERED, that Georgann Rollins be appointed to the Fort Western Board of Trustees, said term to expire October 31, 2021.

18-168 Mayor
BE IT ORDERED, that Jesse Patkus is hereby reappointed to the Historic District Review Board, said term to expire October 31, 2021.

18-169 Mayor
BE IT ORDERED, that Lorie Mastemaker is hereby reappointed to the Historic District Review Board, said term to expire October 31, 2021.

18-170 City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept grant funding in an amount not to exceed $10,500.00 from the Maine Bureau of Highway Safety 2019 High Visibility Distracted Driving Enforcement grant that transpires from April 1, 2019 to April 30, 2019. The project will consist of dedicated details to increase effective enforcement of traffic related laws specifically to reduce distracted driving crash related fatalities and injuries. The grant requires a 20% match which is in-kind, and will be met with administrative, vehicle mileage and summonses issued.

18-171 City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept grant funding in an amount not to exceed $10,000.00 from the Maine Bureau of Highway Safety 2019 Data Driven Speed Enforcement grant that transpires from December 1, 2018 to September 15, 2019. The project will consist of dedicated details to increase effective enforcement of traffic related laws specifically to reduce speed crash related fatalities and injuries. The grant requires a 20% match which is in-kind, and will be met with administrative, vehicle mileage and summonses issued.

18-172 City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept grant funding in an amount not to exceed $15,950.00 from the Maine Bureau of Highway Safety’s 2019 Impaired Driving Enforcement grant that transpires from November 2018 to September 2019. The project will consist of dedicated details to increase effective enforcement of traffic related laws specifically to reduce speed crash related fatalities and injuries as
well as provide specialized training for our Drug Recognition Officer. The grant requires a 20% match which is in-kind, and will be met with administrative, vehicle mileage and summonses issued.

18-173       City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept a donation of $1,500.00 from the Walmart Super Center of Augusta, Maine, to purchase fire prevention materials for public education purposes. No local match is required.

18-174       City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept a donation from Bangor Savings Bank, Melda Page, and other community members, in an amount totaling Fifteen Hundred Dollars ($1,500.00) to help pay for two park benches located at Mill Park.

OLD BUSINESS AND TABLED MATTERS:
SECOND READING (ORDINANCES)

18-162       Mayor and Council
WHEREAS, the Planning Board recently held a public hearing related to amending the Land Use Ordinance so as to allow event and conference facilities in the KBD1 zoning district, and;

WHEREAS, the Planning Board subsequently unanimously recommended a change to the Land Use Ordinance to accommodate said uses.

NOW THEREFORE, BE IT ORDAINED, that the City Council hereby amend the Augusta Land Use Ordinance as follows:

Section 300-202, Additional Definitions, modifying the definition of “Conference Center” as follows:

Conference/Event Center: A facility used for conferences, seminars, and events with accommodations for food preparation and eating, entertainment, resource facilities, and meeting rooms that meets all city ordinances and city requirements. The total floor area of a conference/event center shall not exceed 20,000 square feet.

Table 300 Attachment 4, Table of Land Uses in the Base Zoning Districts, add a “CU” in the KBD1 zoning district column, indicating that the following use shall be Conditional Use in the KBD1 zoning district: Conference/Event Center.

18-163       Mayor and Council
WHEREAS, the Planning Board recently held a public hearing related to amending the Land Use Ordinance so as to allow “Business/Professional Associations” and “Educational Services” to the Regional Commercial (CC) zoning district, and;

WHEREAS, the Planning Board subsequently unanimously recommended a change to the Land Use Ordinance to accommodate said uses as Conditional Uses (CU).

NOW THEREFORE, BE IT ORDAINED, that the City Council hereby amend the Augusta Land Use Ordinance as follows:
Table 300 Attachment 4, Table of Land Uses in the Base Zoning Districts, add a “CU” in the CC zoning district column, indicating that the following use shall be Conditional Use in the CC zoning district: “Business/Professional Associations” and “Educational Services”.

NEW BUSINESS:

PART I – ORDERS AND RESOLVES

18-175 City Manager
BE IT ORDERED, that the City Manager is hereby authorized to list for sale, or to otherwise dispose of, the following Public Works surplus inventory:

1. 2001 Johnson Street Sweeper.

BE IT FURTHER ORDERED, that the following items from the Police Department are hereby added to the list of surplus items for sale or disposal:

1. kids bicycle
2. NEXT Power Climber bikes (2)
3. Ultralite Road Warrior bike
4. Murray wind runner bike
5. NEXT bike
6. Zip mountain bike
7. Huffy bike

18-176 City Manager
WHEREAS, the City Council wishes to have a thorough review of the current Home Occupation standard and permitting system; and

WHEREAS, the City Council recognizes that Home Occupations provide an important source of economic activity for residents and can fit comfortably into a neighborhood without any unintended impacts; and

WHEREAS, the existing system allows some uses that may not be compatible with neighborhoods in both scope and scale; and

WHEREAS, the existing system does not mandate a permitting system for Home Occupations.

NOW THEREFORE BE IT ORDERED, that the City Council of the City of Augusta requests that the Planning Board review, hold public hearings, and make recommendations on possible modifications to the Home Occupation section of the Land Use Ordinance that enables individuals to conduct traditional low impact occupations from their homes, with standards that protect the residential quality of the neighborhood where the occupation is being conducted.

NEW BUSINESS:

PART 2 – ORDINANCES BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

18-177 Mayor and Council
WHEREAS, the City of Augusta wishes to encourage the local production and sale of food and food products; and

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WHEREAS, regulation of the local production and sale of food and food products can be unduly burdensome to producers; and

WHEREAS, the Maine Legislature has provided municipalities with home rule authority to exempt direct producer-to-consumer transactions of food and food products from regulation;

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the following Food Sovereignty Ordinance is hereby enacted:

1. Authority and Purpose: This Ordinance is intended to provide Augusta residents unimpeded access to local food and to reduce governmental regulation of local foods to the extent permitted by home rule authority under 30-A M.R.S.A. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7 M.R.S. § 281 et seq.

2. Definitions: As used in this ordinance, unless the context otherwise indicates, the following terms have the meanings stated below:

   A. Direct Producer-to-Consumer Transaction: A face-to-face transaction involving food or food products at the site of production of those food or food products.

   B. Food or Food Products: Any food or food product intended for human consumption, including, but not limited to, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods or canned fruits or vegetables.

   C. State and City Food Law: Any provision of Title 7 or Title 22 of the Maine Revised Statutes, or rules adopted under Title 7 or Title 22 of the Maine Revised Statutes, or provision of the City of Augusta Code that regulates direct producer-to-consumer transactions.

3. Exemption from Licensure and Inspection: Producers and processors of local food intended for direct producer-to-consumer transactions in the City of Augusta shall be exempt from state and City licensure and inspection under State and City Food Laws. In accordance with Section 284 of the Maine Food Sovereignty Act, the State of Maine and the City of Augusta shall not enforce State and City Food Laws with respect to direct producer-to-consumer transactions.

4. Exception for Meat and Poultry Inspections: In accordance with Section 285 of the Maine Food Sovereignty Act, the exemption provided in Section 3 of this Ordinance does not apply to any meat or poultry product inspection and licensing requirements that are specified under applicable federal acts.

BE IT ORDAINED, by the City Council of the City of Augusta, as follows:

That Article III, section 270-35 Stopping, Standing and Parking, Of the Revised Code of Ordinances 1990, as amended, be further amended by adding and deleting the following language:

City Manager
Jefferson Street

No parking on the south side from Oxford Street Northern Avenue to Washington Street.

No parking on the southerly side between Oxford Street and Northern Avenue between November 1 and April 1.

Parking shall be restricted to 15 minutes on the west side for the legal property boundary of the property located at 133 Northern Avenue as it borders on Jefferson Street (Dube's Market), a distance of 66 feet.

18-179 Mayor and Council
WHEREAS, the Planning Board held a public hearing on the issue of a rezoning and voted unanimously to recommend the rezoning be approved; and

WHEREAS, the lot in question became split zoned via a land transaction enabling the widening of Stone Street in front of this lot during the construction of the Hannaford Supermarket about 10 years ago; and

WHEREAS, the City Council and Planning Board recognize that this lot split by a zoning boundary creates an unusual problem for this owner, where regulation differs significantly across the lot.

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Augusta rezones Tax Map 38, Lot 120A (25 Stone Street) such that the entire lot is within the Institutional/Business/Professional (BP) zoning district, eliminating the Contract Zone on this lot.

COMMUNICATIONS

Committee Reports
City Manager’s Report

Respectfully submitted,
Roberta L. Fogg, City Clerk
October 29, 2018