MINUTES FOR THE CITY COUNCIL BUSINESS MEETING
COUNCIL CHAMBERS
THURSDAY, NOVEMBER 15, 2018
7:00 P.M.

Present: Mayor Rollins, Councilors Conti, Day, Grant, Elliott, O’Brien, and Alexander

Absent: Councilor Lind and Councilor Wilson

Executive Session: Application for a Hardship Abatement of Property Taxes; 1 M.R.S.A. §405(6)(F).

Motion to enter Executive session at 6:00 p.m. in accordance with 1 M.R.S.A §405(6)(F), Application for a Hardship Abatement of Property Taxes.
By Councilor Day Second By: O’Brien
Yeas: 5
Nays: 0

Councilor Alexander not arrived at 6:35 p.m.

Motion to leave executive session at 6:45 p.m.
By Councilor Day Second By: Alexander
Yeas: 6
Nays: 0

There was a pre-meeting of the City Council at 6:45 p.m. in Conference Room A.

PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:

CONSENT AGENDA:

18-180 City Manager (Bureau of City Clerk)
BE IT ORDERED, that the minutes of the City Council Regular Business Meeting held November 1, 2018, submitted by the City Clerk’s office be approved.

18-181 City Manager (Bureau of Audit Accounts)
BE IT ORDERED, that the Roll of Accounts for the month of October, 2018 in the amount of $8,089,996.20 be approved.

Motion for passage of the Consent Agenda orders 18-180 to 18-181.
By: O’Brien Second by: Day
Yeas: 6
Nays: 0
OLD BUSINESS AND TABLED MATTERS:
SECOND READING (ORDINANCES)

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

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;

Motion to Suspend Further Reading of order 18-177.
By: Alexander Second by: Day
Yeas: 6
Nays: 0

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.

Motion for passage of order 18-177.
By: O’Brien Second by: Elliott
Yeas: 6
Nays: 0

18-178 City Manager
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:

Motion to Suspend Further Reading of order 18-178.
By: Alexander Second by: Elliott
Yeas: 6
Nays: 0

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.

Motion for passage of order 18-178.
By: Elliott Second by: Grant
Yeas: 6
Nays: 0

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.

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Motion for passage of order 18-179.
By: Elliott Second by: Grant
Yeas: 6
Nays: 0

NEW BUSINESS:

PART I – ORDERS AND RESOLVES

18-182  City Manager
BE IT ORDERED, that the City Manager is hereby authorized to list for sale, the following Police Department surplus property:

2. Black and White 2015 Ford Interceptor SUV

Motion for passage of order 18-182.
By: O’Brien Second by: Grant
Yeas: 6
Nays: 0

18-183  Mayor and Council
BE IT ORDERED, that the City Manager is hereby authorized to adopt the General Assistance maximum levels in accordance with Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305 (4).

Motion for passage of order 18-183.
By: Day Second by: Elliott
Yeas: 6
Nays: 0

18-184  City Manager
BE IT ORDERED, that the revised City Administrative Regulations are hereby adopted as follows:

Section III C. Dental Insurance – A new plan will be offered effective January 1, 2019 with Northeast Delta Dental.

Section III C.2 Holidays add a *Floating Holiday (Floating Holiday: Must be used in the calendar year, is to be scheduled and taken with supervisors’ approval. Floating Holiday does not carry over to the following year).

Motion for passage of order 18-184.
By: Conti Second by: Grant
Yeas: 6
Nays: 0

18-185  City Manager
Title: Reimbursement Resolution - $1,152,504 pursuant to a future lease purchase agreement or other financing arrangement for purchasing from Central Maine Power Company street lights located within the City and converting those lights, as well as other City-owned lights, to LED (light-
emitting diode) technology, and installing “smart technology” functionality on certain of those lighting fixtures.

Motion to Suspend Further Reading of order 18-185.
By: Alexander        Second by: O’Brien
Yees: 6
Nays: 0

BE IT ORDERED, That (1) in connection with the City completing, pursuant to a future lease purchase agreement or other financing arrangement, the purchase from Central Maine Power Company of street lights located within the City and converting those lights, as well as other City-owned lights, to LED (light-emitting diode) technology, and installing “smart technology” functionality on certain of those lighting fixtures, the City expects to temporarily advance its own funds in anticipation of obtaining financing for all or a portion of the foregoing project.

(2) The City reasonably expects (a) to incur debt or other financial obligations to reimburse expenditures (including expenditures made within the last sixty (60) days) temporarily advanced from funds of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the foregoing project and (b) that the maximum principal amount of debt to be issued by the City for the foregoing project including for reimbursement purposes is $1,152,504 and the City Manager of the City or his designee, including without limitation the Assistant City Manager for Finance and Administration, is authorized to advance money from the General Fund of the City for payment of such costs.

(3) The estimated period of utility of the permanent improvements constituting the purchased and converted lighting fixtures and related facilities is hereby declared to be in excess of twenty-four (24) years.

Motion for passage of order 18-185.
By: O’Brien        Second by: Elliott
Yees: 6
Nays: 0

18-186 City Manager (Bureau of City Clerk)
BE IT ORDERED, that the attached tabulation results for the Municipal Candidate and Referendum Election held November 6, 2018, submitted by the City Clerk are hereby certified.

Motion for passage of order 18-186.
By: Elliott        Second by: Conti
Yees: 6
Nays: 0

18-187 City Manager (Bureau of City Clerk)
BE IT ORDERED, that the attached tabulation results for the State of Maine Candidates and Referendum Election held November 6, 2018, submitted by the City Clerk are hereby certified.

Motion for passage of order 18-187.
By: Day        Second by: Elliott
Yees: 6
Nays: 0

Minutes 11/15/2018
COMMUNICATIONS

Committee Reports
City Manager’s Report

Motion to Adjourn at 7:32 p.m.
By: Day    Second by: Conti
Yea: 6
Nay: 0

Respectfully submitted,
Loretta Lathe, Executive Assistant
November 16, 2018