

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

March 22, 2007

Minutes of the regular City Council meeting held Monday, March 19, 2007 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Katz presided.

Presentation - Cony High School Girls' Basketball Team
2007 State of Maine Class A Champions

Presentation - By the Augusta Historic Preservation Commission of
Historic House Plaques

Presentation - Hatch Hill by Lesley Jones

Public Hearing - Amendment to the "City of Augusta Downtown
Development and Tax Increment Financing District"
(Order #057)

Public Hearing - Amendment to the City of Augusta "Mall Area
Development District" (Order #058)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

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

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by adding the following:

Middle Street

No parking on the east or west side from the intersection of Caldwell Road southerly for a distance of four hundred twenty eight (428) feet.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING (Con't)

051 BE IT ORDAINED, By the City Council of the City of Augusta, that Chapter 11, Article IV, Section 11-112 Cable Television and Telecommunications Committee be amended as follows:

Sec. 11-112. Cable Television and Telecommunications Committee.

(a) Established. no changes

(b) Number and qualifications. The Committee shall consist of nine {9} seven (7) members, who shall be appointed by the Mayor with the advice and consent of the Council, and one (1) of whom shall be a member of the Augusta School Board and one (1) a member of the Council. At least a majority of the members of the Committee shall be residents or taxpayers of the City. All members of the Committee shall be residents of the City of Augusta. The Director of Community Services, or designee, and the Augusta Public School's Business Manager or designee shall be a member, ex officio, without vote. All Committee members shall serve without compensation.

(c) Terms. The initial members shall be appointed for a term of one {1} year. At the expiration of these initial terms, three {3} members shall be appointed to serve a three year term, three {3} to serve a two year term, and three {3} to serve a one year term, and thereafter all terms shall be for three {3} years. Members shall be appointed for three year terms with (2) two members appointed each year and during one year (3) three members shall be appointed to retain the (7) seven person Committee. Members may serve multiple terms.

(d) Officers and their terms. no changes

(e) Meetings. The Committee shall meet not fewer than four (4) times in any twelve-month period, and may at any meeting establish a date of its next meeting. The Chair ~~in~~ at the Chair's discretion, may call a meeting of the Committee, and not fewer less than one-third (1/3) of the members, acting together, may call special meetings; in either case, notice by mail or telephone shall be given to all Committee members. At any meeting, a quorum of the Committee shall consist of a minimum of ~~five (5)~~ (4) four members, provided that a majority of these present shall be Augusta residents or taxpayers.

(f) By-laws. no changes

(g) Policies and procedures. The Committee shall, after notice and public hearing, and after an opportunity for the public to submit written comments, adopt policies and procedures governing the education and government channels authorized under the current state ~~eable~~ cable TV franchise agreement.

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING (Con't)

051 Continued

The policies and procedures shall become effective upon approval by the Council.

(h) Duties and powers. no changes

(i) Franchisee's funding of education and government channels. no changes

(j) Reports required. no changes

(k) Separate fund established. no changes

(l) Budget; expenditures. no changes

(m) Cooperation. no changes

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

NEW BUSINESSHAS BEEN READ AND PASSED, AS AMENDED

056 ORDERED, That the Augusta City Council authorizes the City Manager to execute a Trail Easement by and between the City and the State of Maine for the construction continued operation and maintenance of the Augusta Greenway Trail.

BE IT FURTHER ORDERED, That the City Manager is authorized to execute any necessary documentation to complete the Greenway Trail and confirmation by the City Manager that a liability policy covers our exposure created by granting this easement.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

HAS BEEN READ AND PASSED

052 ORDERED, That minutes of the City Council meeting held March 5, 2007 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED (Con't)

053 ORDERED, That the City Council accept a donation of surplus exercise equipment from Superior Fitness Services of Derry New Hampshire.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

054 ORDERED, That Donna Doore be reappointed to the Kennebec River Rail Trail Committee; said term to expire March 19, 2010.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

055 ORDERED, That the City Council informational meeting scheduled for Monday, April 23rd be rescheduled to Monday, April 30th.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

057 WHEREAS, the City of Augusta (the "City") designated its "City of Augusta Downtown Development and Tax Increment Financing District" (the "District") and approved Program for the District (the "Development Program") by Order 267 of the City Council adopted August 26, 2002. The designation of the District and the Development Program were approved by the Maine Department of Economic and Community Development (the "DECD") by letter dated January 8, 2003; and

WHEREAS, the First Amendment to the Development Program was approved by Order of the City Council on November 9, 2005 and by the DECD by letter dated February 2, 2006; and

WHEREAS, there is a need to amend the District in order for it to better meet the needs of the City and to carry out the goals that were approved by the community in the adoption of the District.

NOW THEREFORE BE IT ORDERED, That the District and Development Program is amended as follows:

1. That the amount of incremental tax revenues being

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

057 Continued

captured in the District, beyond that of the Original Assessed Value (OAV), currently at 100%, be changed to reflect that the first \$13,200,000 in increased valuation above the OAV will be captured.

2. Add the following uses in the section of the original Development Plan titled Operational Components, 1. Public Facilities, page 8, to include; "buildings, structures and facilities for public and commercial use".

3. Extend the duration of the TIF District, which is currently scheduled to end in fiscal year 2022-2023, to fiscal year 2026-2027.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

058 WHEREAS, the City of Augusta (the "City") designated its "Mall Area Development District" (the "District") and approved Program for the District (the "Development Program") by Order 338 of its City Council adopted and approved February 20, 1990. The designation of the District and the Development Program were approved by the Maine Department of Economic and Community Development (the "DECD") by letter dated March 19, 1990; and

WHEREAS, the First Amendment to the Development Program was approved by Order of the City Council on May 13, 1992, and by the DECD by letter dated July 1, 1992; and

WHEREAS, the Second Amendment to the Development Program was approved by Order of the City Council on April 28, 1995, and by the DECD by letter dated June 8, 1995; and

WHEREAS, the Third Amendment to the Development Program was approved by Order of the City Council on June 24, 1996; and

WHEREAS, the Fourth Amendment to the Development Program was approved by Order of the City Council on December 16, 1996, and by the DECD by letter dated March 31, 1997; and

WHEREAS, the Fifth Amendment to the Development Program was approved by Order of the City Council on August 26, 2002, and

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

058 Continued
by the DECD by letter dated January 8, 2003; and

WHEREAS, the Sixth Amendment to the Development Program was approved by Order of the City Council on July 12, 2004, and by the DECD by letter dated March 9, 2005; and

WHEREAS, there is a need to amend the District in order for it to better meet the needs of the City and to carry out the goals that were approved by the community in the adoption of the District.

NOW THEREFORE BE IT ORDERED, That the District and Development Program is amended as follows:

1. That the duration of Phase I of the TIF District, currently set to expire in fiscal year 2012-2013, be extended until fiscal year 2022-2023.
2. That \$135,000 of Phase II TIF revenues no longer be allocated to the City's Downtown TIF District, as was provided for in the original Development Plan (\$70,000 annually) and in the 6th amendment (\$65,000).

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk