

**MINUTES FOR THE REGULAR CITY COUNCIL MEETING
THURSDAY, OCTOBER 21, 2010
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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

Presentation - Drug Take Back Program by Neill Miner

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

TABLED

- 115 ORDERED, That the City Manager is authorized to expend an amount not to exceed \$5,000 to conduct a structural engineering analysis of the Colonial Theater.

(NO MOTION TO REMOVE FROM TABLE)

READ AND PASSED, FINAL READING

- 155 WHEREAS, The 124th Maine Legislature has enacted Public Law 2009, Chapter 591, "An Act to Increase the Affordability of Clean Energy for Homeowners and Businesses," also known as "the Property Assessed Clean Energy Act" or "the PACE Act"; and

WHEREAS, That Act authorizes a municipality that has adopted a Property Assessed Clean Energy ("PACE") Ordinance to establish a PACE program so that owners of qualifying property can access financing for energy saving improvements to their properties located in the City, financed by funds awarded to the Efficiency Maine Trust under the Federal Energy Efficiency and Conservation Block Grant (EECBG) Program and by other funds available for this purpose, and to enter into a contract with the Trust to administer functions of its PACE program; and

WHEREAS, the City wishes to establish a PACE program; and

NOW THEREFORE, the City hereby enacts the following Ordinance: (see attached)

Motion for passage by: Munson Second by: Stokes

Yeas: 8: Byron, Grant, Paradis, O'Brien,
 Rollins, Coffin, Munson, Stokes

Nays: 0:

NEW BUSINESS

READ AND PASSED, AS AMENDED

- 159 ~~ORDERED~~ BE IT RESOLVED, That the City Council does hereby endorse in concept a North Augusta Tax Increment Financing District to facilitate access to and from Interstate 95 and Old Belgrade Road in an amount not to exceed \$2,400,000.

Motion to amend by: Rollins Second by: Stokes

Yeas: 8: Byron, Grant, Paradis, O'Brien,
 Rollins, Coffin, Munson, Stokes

Nays: 0:

Motion for passage, as amended, by: Rollins Second by: Coffin

Yeas: 8: Byron, Grant, Paradis, O'Brien,
 Rollins, Coffin, Munson, Stokes

Nays: 0:

HAS BEEN READ, FIRST READING

- 160 WHEREAS, the City Council finds that the criteria for approving a Map Amendment, found in section 1.6.1.A has been satisfied.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the Augusta Land Use Ordinance Official Zoning Map be amended as follows:

The following parcels of land, as shown on the attached map entitled "ALT DRAFT Proposed MED Zone", dated August 20, 2010, shall be rezoned in accordance with Section 1.6.1(A)(iv)(a) of the Augusta Land Use Ordinance. The zoning line shall be relocated as highlighted on the above listed map and the new zone shall be Medical (MED) for:

Map 5, Lots 12, 14, 15, 16, 17, and 18; Map 1, Lots 1, 1A, 1B, 1C, 1D, 1E, 4, 5, 8; and portions of Map 1, Lots 5A, and 35.

(FIRST READING, NO VOTE REQUIRED)

READ AND PASSED

- 161 WHEREAS, The City of Augusta is in the process of land use planning for the East Side of the Kennebec River from the "Third Bridge" to the northern border of the so-called "Arsenal" property; and

NEW BUSINESS (Con't)

READ AND PASSED (Con't)

161 Continued

WHEREAS, The City Council finds that the existing Land Use Ordinance and other regulations are inadequate to prevent serious public harm from new commercial development on the East Side of the Kennebec River; and

WHEREAS, The City Council and Planning Board are researching and evaluating amendments to the Land Use Ordinance to best plan for future development on the East Side of the Kennebec River; and

WHEREAS an emergency exists affecting health, safety and property if commercial development were to occur prior to the completion of the planning process;

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta, no commercial development shall be reviewed or permitted by City staff, the Planning Board or under any other authority pursuant to the Land Use Ordinance for all real property adjacent to the East Side of the Kennebec River from the so-called "Third Bridge" to the northern border of the so-called "Arsenal" property.

This moratorium shall be in effect for 180 days from the date of enactment, effective immediately.

Motion to waive second reading by: Stokes Second by Rollins

Yeas: 8: Byron, Grant, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

Motion for emergency passage by: Munson Second by: Rollins

Yeas: 8: Byron, Grant, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

156 ORDERED, That the minutes of the City Council meeting held October 7, 2010, submitted by the City Clerk, be approved.

Motion for passage by: Stokes Second by: O'Brien

Yeas: 8: Byron, Grant, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0:

NEW BUSINESS (Con't)

READ AND PASSED (Con't)

157 ORDERED, That David Leibowitz of 30 Old Winthrop Road serve as Ward Clerk in Central Polling for the Election to be held November 2, 2010.

BE IT FURTHER ORDERED, That Arlene Davis of 10 Davis Street serve as Ward Clerk in Ward 3 for the Election to be held November 2, 2010

Motion for passage by: Stokes Second by: O'Brien

Yeas: 8: Byron, Grant, Paradis, O'Brien,
 Rollins, Coffin, Munson, Stokes

Nays: 0:

158 ORDERED, That the City Manager is hereby authorized to execute a Property Assessed Clean Energy Administration Contract with the Efficiency Maine Trust.

Motion for passage by: Munson Second by: Stokes

Yeas: 8: Byron, Grant, Paradis, O'Brien,
 Rollins, Coffin, Munson, Stokes

Nays: 0:

Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
October 25, 2010