

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

April 20, 2007

Minutes of the regular City Council meeting held Tuesday, April 17, 2007 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Cony Student Art Exhibit at City Center in May

Public Hearing - J.S. McCarthy Development Program and Tax Increment Financing District (Order #076)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

067 WHEREAS, the Planning Board has determined that the allowance of greater flexibility in parking standards to be beneficial to both the City and developers; and

WHEREAS, the Planning Board held a public hearing on February 13, 2007, and voted to recommend to the City Council for approval that the parking standard be able to be reduced by the Planning Board during a plan review process; and

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the following text amendment be approved.

Amend Section 5.1.14.2.1(e)(i) as follows: (i) A maximum twenty (20) of up to fifty (50) percent reduction in the number of required off-street parking spaces may be permitted by the Planning Board. Any reduction shall be made based on a parking demand study submitted by the applicant's certified professional engineer indicating that the proposed reduction will adequately meet the applicant's needs. providing that the applicant can document that sufficient area is reserved to provide for the total number of off-street parking spaces required by this ordinance. The purpose of this reservation is to ensure adequate area to meet any future need for additional spaces or to compensate for incorrect assumptions used in estimating parking space needs. This reservation shall be provided for by deed restricting that portion of the site required to provide for the same number of parking spaces on the same property as is being proposed for development. The

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

067 Continued

reserved parking area shall not include areas required for buffers, setbacks, or areas which would otherwise be unsuitable for parking spaces due to physical characteristics of the land or other provisions of this ordinance. The developer shall provide a landscaping plan for the reserved area.

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

Nays: 0

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED

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

That Chapter 6, section 143(1). Historic Preservation Commission-Created; membership, of the Revised Code of Ordinances 1990, as amended be further amended by changing the following:

(1) The membership of the Commission shall consist of ~~five~~ seven (7) persons who shall be residents of the city. Members of the Commission shall be appointed on the basis of demonstrated interest, knowledge or training in fields closely related to historic preservation (e.g. history, architecture, urban design, archeology) and should represent such professionals to the extent that they are available in the community. Information on the credentials of the Commission members will be kept on file and will be available to the public. Each Commission member is required to attend at least one (1) informational or educational meeting per year, approved by the state historic preservation officer, pertaining to the work and functions of the Commission or to historic preservation.

BE IT FURTHER AMENDED, as follows: Chapter 6, section 144. Same Organization, rules, meetings. (a) A quorum shall consist of ~~three~~ (3) four (4) members of the Historic Preservation Commission and shall be required to conduct all business. A majority vote of the total members of the Commission shall be required for action to be taken on any matter.

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, AS AMENDED (Con't)

068 WHEREAS, the Planning Board held a public hearing on July 11, 2006, and voted unanimously to recommend the City requested conditional rezoning to the City Council for approval; and

WHEREAS, the City owns the Buker School, now called the Buker Center, and uses the school for a variety of City and other government related functions;

NOW THEREFORE BE IT ORDAINED By the City Council of the City of Augusta that the following conditional rezoning be approved.

Map 21, Lot 1, the former Buker School property located at 21 22 Armory Street, Shall be Conditionally Rezoned from its present Low Density Residential (RA) classification to Government Service (GS) with the following conditional uses:

1. Recreational
2. Educational
3. Cultural
4. Emergency Services

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

Nays: 0

NEW BUSINESSHAS BEEN READ, FIRST READING

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

That Chapter 18, section 41 Heavy trucks prohibited on certain streets; exception for city vehicles, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Howe Street

(FIRST READING, NO VOTE REQUIRED)

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

070 ORDERED, That minutes of the City Council meeting held April 2, 2007 submitted by the City Clerk be approved.

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

Nays: 0

071 ORDERED, That Roll of Accounts for the month of March 2007 in the amount of \$5,786,176.33 be approved.

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

Nays: 0

072 ORDERED, That Joelle Drake be reappointed to the Parks and Recreation Advisory Board; said term to expire January 1, 2009.

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

Nays: 0

073 ORDERED, That the following be reappointed to the Cable Television and Telecommunications Committee:

Max S. Cohen (citizen member) - Term expires October 3, 2009
Stanley C. Koski (Council member) - Term expires January 17, 2010

BE IT FURTHER ORDERED, That Laurence G. Ringrose be appointed as a citizen member; said term to expire April 19, 2010.

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

Nays: 0

074 ORDERED, That the attached list for Wardens, Ward Clerks and Constables be appointed in accordance with the City of Augusta Charter, Article V, Section 2.

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

Nays: 0

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

075 ORDERED, That the City Council authorize the City Manager to submit a Firefighter's Assistance Grant application in the amount of \$137,375.

BE IT FURTHER ORDERED, That the City shall appropriate the required 5% match from the Fire Department matching grant account.

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

Nays: 0

076 WHEREAS, the City of Augusta (the "City") is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specific location within the City as the "2007 J.S. McCarthy Development Program and Tax Increment Financing District" (the "District") and to adopt a Development Program for the District (the "Development Program"); and

WHEREAS, there is a need for commercial development in the City of Augusta; and

WHEREAS, there is a need to provide employment for the citizens of the City of Augusta and the surrounding region; to improve and broaden the tax base of the City of Augusta and the State of Maine; and

WHEREAS, implementation of the Development Program will help to provide additional investment in the City of Augusta and stabilize employment; improve and broaden the tax base in the City of Augusta and improve the economy of the City of Augusta and the State of Maine; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial activities through the establishment of the District in accordance with the provision of Chapter 207 of Title 30-A; and

WHEREAS, the City desires to designate the 2007 J.S. McCarthy Development Program and Tax Increment Financing District, and to adopt a Development Program for the District; and

WHEREAS, it is expected that approval will be obtained from the Maine Department of Economic and Community Development (the "Department"), approving the designation of the District and the adoption of the Development Program for the District.

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

076 Continued
NOW THEREFORE BE IT ORDERED, That the attached Development Program which creates the 2007 J.S. McCarthy Development Program and Tax Increment Financing District, be approved.

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

Nays: 0

077 WHEREAS, the City Council wishes to promote the Augusta State Airport; and

WHEREAS, the City Council seeks to leverage matching support from the greater Augusta area business community; and

WHEREAS, the Augusta State Airport qualifies for a Small Communities Airservice Development Grant for the purpose of marketing the Airport.

NOW THEREFORE BE IT ORDERED, That the City Manager is hereby authorized to apply for a \$100,000 SCAD grant from the federal government.

BE IT FURTHER ORDERED, That in order to achieve a competitive local match, the City Council does hereby commit \$10,000 from existing accounts (\$5,000 Economic Development marketing; \$5,000 Council Contingency) and does charge the City Manager with securing a matching amount from the greater Augusta area business community.

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

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk