

**AGENDA FOR THE CITY COUNCIL MEETING
THURSDAY, FEBRUARY 5, 2015
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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 HEARING - Malt, Spirituous and Vinous Liquor License Application for Paiboon Sopasiti, Red Curry, Bond Brook Mini Mall

PUBLIC HEARING - Amendment to the Downtown Omnibus Municipal Development Tax Increment Financing (TIF) District Program

PUBLIC HEARING - Modification to NRF Development Program 2

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA

CONSENT AGENDA

All matters listed under this item will be considered routine and will be enacted by one motion. If a Councilor wishes to discuss one (or more) item(s), Councilor may ask to have the item(s) removed from the Consent Agenda and considered individually.

15-012 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held January 15, 2015, submitted by the City Clerk be approved.

15-013 Manager (Bureau of Audit Accounts)

ORDERED, That the Roll of Accounts for the month of January, 2015 in the amount of \$5,064,758.99 be approved.

15-014 Mayor Rollins

ORDERED, That Paige Tatum be appointed to the Fort Western Board of Trustees; said term to expire February 5, 2018.

15-015 Mayor Rollins

ORDERED, That Tom Connors be appointed to the Planning Board; said term to expire February 5, 2018.

15-016 Mayor Rollins

ORDERED, That Lorie Mastemaker be reappointed to the Historic Preservation Commission; said term to expire February 2, 2018.

15-017 Mayor Rollins

ORDERED, That Heather Pouliot be reappointed to the Planning Board; said term to expire March 15, 2018.

15-018 City Manager

ORDERED, That the City Council approve the acceptance of one (1) used Life Fitness, Summit Trainer, valued at \$750.00 new and one (1) used Matrix Bench, valued at \$150.00 new from Stan Soboleski, Sobo Tech for the Augusta Police Department.

NEW BUSINESS

PART 1 – ORDERS

15-019 Manager (Bureau of City Clerk)

ORDERED, That the application for a Malt, Vinous and Spirituous Liquor License be approved:
- Paiboon Sopasiti, Red Curry, Bond Brook Mini Ma

15-020 City Manager

ORDERED, That the City Council adopt the Forest Management Plans as presented to City Council and as recommended for adoption by the Conservation Commission.

BE IT FURTHER ORDERED, That revenues generated from timber receipts shall go into a timber reserve account and shall be expended when so authorized by City Council.

15-021 City Manager

BE IT ORDERED, That the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated, section 5824(3) & 5826(6) to the transfer of \$1,314.25, or any portion thereof to the Augusta Police Department, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of the criminal case, namely, State of Maine vs. Otis Tosen.

15-022 Mayor Rollins

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 amend the “City of Augusta Downtown Omnibus Municipal Development Tax Increment Financing District Program” (the “District”) and to amend the Development Program for the District (the “Development Program”); and

WHEREAS, there is a need to improve access to the Kennebec River Rail Trail from the city’s Waterfront Park;

WHEREAS, there is a need to dedicate local funds as a match to a grant for the project from the Maine Department of Transportation;

WHEREAS, improvements to recreational trails are permitted by state statute; and

WHEREAS, it is expected that approval will be obtained from the Maine Department of Economic and Community Development (the “Department”), approving the addition of the project to the existing Development Program for the District.

NOW THEREFORE BE IT ORDERED, That the attached Development Program, which amends the City of Augusta Downtown Omnibus Municipal Development Tax Increment Financing District Program, be approved.

15-023 Mayor Rollins

WHEREAS, on August 28, 2014, the City of Augusta (the “City”), pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, previously (i) designated the “NRF Distributors, Inc. Facility Consolidation Economic Development Program and Tax Increment Financing District” (the “NRF District 2”) and adopted a Development Program for the District (“NRF Development Program 2”); and

WHEREAS, the Maine Department of Economic and Community Development (“DECD”), has requested certain modifications to NRF Development Program 2;

NOW THEREFORE BE IT ORDERED, That the attached modification to NRF Development Program 2 be approved and incorporated therein.

BE IT FURTHER ORDERED, That the City Council hereby finds and determines that the City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that the proposed modification of NRF Development Program 2 will not result in a substantial detriment to any existing business in the City, and any adverse economic effect of the proposed NRF Development Program 2 on any existing business in the City is outweighed by the contributions expected to be made by NRF District 2 and the projects and improvements described in the NRF Development Program 2 to the economic growth or well-being of the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

BE IT FURTHER ORDERED, That the City Manager be, and hereby is, authorized and empowered and directed to submit the said modification to NRF Development Program 2 to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the form of which submission shall be as the City Manager determines to be reasonably necessary or convenient in order to facilitate the process for review and approval by the Commissioner of DECD, so long as such revisions are consistent with this Order and the basic structure and intent of the NRF Development Program 2.

NEW BUSINESS (Con’t)

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

15-024 City Manager

WHEREAS, the City Council finds that modifications to the city parking regulations are necessary to accommodate the changing needs of residents in the downtown and throughout the city.

BE IT ORDAINED, By the City Council of the City of Augusta, that Chapter 18 of the Augusta Code of Ordinances be amended as follows:

Sec 18-66. Parking in excess of twenty-four hours; notice to move; removal by city.

It shall be unlawful to leave a motor vehicle parked on a public way or in a municipal parking lot for a period in excess of twenty-four (24) hours unless such vehicle possesses a valid residential

parking permit issued by the Augusta Parking District, is in a space designated by the Augusta Parking District for resident parking, and meets the standards of MRSA Title 29-A. If a vehicle is parked in violation of this section, a notice shall be placed on the windshield of such vehicle ordering its removal within twenty-four (24) hours. If after the expiration of such notice the vehicle is still in violation of this section, such vehicle may be removed in accordance with the provisions of this article. Where this section conflicts with Sec 18-68 (a) regarding winter parking on streets, Section 18-68 shall apply.

Sec 18-67. ~~Nighttime parking, permit required, exceptions.~~

- ~~(a) No vehicle shall be parked in any street of the city for a longer period than one (1) hour, between 12:00 p.m. and 7:00 a.m. except on permit granted by the Police Department.~~
- ~~(b) This section shall not apply to physicians on professional, or to fire, police or city highway vehicles.~~
- ~~(c) No vehicle with a gross vehicle weight in excess of fifteen thousand (15,000) pounds shall be parked, excluding the Augusta Business Park, for a longer period than one (1) hour in any street between the hours of 8:00 p.m. and 8:00 a.m., except on permit granted by the Police Department.~~

Sec. 18-68. - ~~Nighttime parking not to hinder snow removal.~~

- a. Unless a permit has been issued by the Police Department for overnight parking, no person shall park or permit a vehicle to remain parked in any street of the city, with the exception of the east side of Commercial Street between Oak Street and Water Street, between 10:00 p.m. midnight and 7:00 a.m. from November 15 to April 15, since such parking or remaining parked vehicles may interfere with snowplowing or the loading or removal of snow from such street.
- b. No vehicle with a gross vehicle weight in excess of fifteen thousand (15,000) pounds shall be parked, excluding the Augusta Business Park, for a longer period than one (1) hour in any street between the hours of 8:00 p.m. and 8:00 a.m., except on permit granted by the Police Department.

COMMUNICATIONS

Committee Reports
City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
February 2, 2015