

**REVISED AGENDA FOR THE REGULAR CITY COUNCIL MEETING
THURSDAY, FEBRUARY 21, 2013
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.

PROCLAMATION - February 25 - Friendly's Restaurant Day in Augusta

PRESENTATION - Ernie Martin, Maine Department of Transportation, Exit 113 Project

PUBLIC HEARING - Augusta East Redevelopment Corporation Economic Development Program and Tax Increment Financing District

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.

13-025 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held February 7, 2013, submitted by the City Clerk, be approved.

13-026 Mayor Stokes

ORDERED, That Peter Fortunato be reappointed to the Board of Zoning Appeals; said term to expire on March 17, 2016.

13-027 Mayor Stokes

ORDERED, That Patrick Paradis be appointed to the Edwards Dam Selection Committee; said term to expire on February 21, 2014.

13-028 Mayor Stokes

ORDERED, That Katie Vose be appointed to the Edwards Dam Selection Committee; said term to expire on February 21, 2014.

13-029 City Manager

ORDERED, That the City Council accept donations from Allen Ryan in the amount of \$500.00, from Civies Steel in the amount of \$600.00, from Maine State Credit Union in the amount of \$1,200.00 and from G & E Roofing in the amount of \$1,000.00, for a total of \$3,300.00 for the Petanque Courts at Mill Park.

NEW BUSINESS

13-030 Councilor Munson

WHEREAS, The City of Augusta Planning Board has approved a project located at 362 Riverside Drive which will result in a 13 pump gas and diesel fueling station, convenience store, drive through, fuel oil delivery point and fuel oil offices, and

WHEREAS, The Maine Department of Transportation has issued a traffic permit for this facility which includes two travel lanes and one center turning lane on Riverside Drive in the vicinity of this new commercial operation, and

WHEREAS, there are numerous children K through 12 grades who walk on the side of the road to access a school bus pickup point at the corner of Sparrow Drive and Riverside Drive, and

WHEREAS, there are no sidewalks on either side of Riverside Drive, and

WHEREAS, these children will have to walk across the two curb cuts where cars and trucks will be entering and departing this project, and

WHEREAS, the children have to cross from one side of Riverside Drive to the other to gain access to the school bus pickup point, and

WHEREAS, the speed limit is 45 MPH through this area, and

WHEREAS, the City of Augusta police department has in the past surveyed the speed in this area finding there are routinely speeds far in excess of 45 MPH in this area, and

WHEREAS, the City Council finds this puts children in significant danger, and

WHEREAS, there is projected to be a significant increase in the number of vehicles entering and leaving this project which has the potential for increased accidents based on the speed of travel along Riverside Drive, and

WHEREAS, the City Council in session September 3, 2009 asked the speed limit from the 35 MPH speed limit currently in place on Route 201 immediately north of Route 3 be extended for an additional 1000 feet which was denied by the Maine Department of Transportation, and

WHEREAS, the problem identified at that time has not abated, and

WHEREAS, this new commercial operation will significantly impact the traffic and pedestrian situation in the area.

NOW, BE IT RESOLVED, That the City Council requests the Maine Department of Transportation to extend the 35 MPH speed limit currently in place on Route 201 immediately north of Route 3 to a point northerly at approximately 390 Riverside Drive to account for the third lane that will be added to Riverside Drive, and

BE IT FURTHER RESOLVED, That the travel lanes southbound from approximately 390 Riverside Drive be set at 35 MPH, and that a 35 MPH speed reduction ahead sign be placed further north on Riverside Drive, and

BE IT FURTHER RESOLVED, That all of this be completed and in place at the time of the opening for business of the commercial operation located at 362 Riverside Drive.

WHEREAS, The Augusta City Council finds that Petanque is a multigenerational, handicapped accessible and tremendously enjoyable community activity, and

13-031 Mayor and Council

WHEREAS, The Mill Park Petanque Association has in the past several years developed high quality facilities at the riverfront at Mill Park, and

WHEREAS, Through the efforts of the Petanque Association, Petanque has contributed to the economic vitality and recreational quality of life in Augusta, and

WHEREAS, the Mill Park Petanque courts have become an integral part of the linked recreational system that includes the trails and parks in downtown, and

WHEREAS, in order to enhance the usage and enjoyment of the Petanque Courts, the Association is undertaking a private fundraising initiative to underwrite the cost of lighting-estimated to be approximately \$25,000, now

THEREFORE, BE IT RESOLVED that the Augusta City Council does hereby lend its support to the lighting construction project and associated fundraising effort and does acknowledge its appreciation to the Mill Park Petanque Association for their efforts and their ongoing commitment to the community.

13-032 City Manager

ORDERED, That the City Manager is authorized to issue a request for proposals for the provision of natural gas for city and school facilities and throughout the city of Augusta and

BE IT FURTHER ORDERED, That to the extent practical and in the best interest of the City of Augusta, that the City Manager may collaborate with Kennebec County, the Administrative Office of the Courts and the City of Gardiner in this process.

13-033 City Manager

BE IT ORDERED. That the City Manager is authorized to accept grant funding in the amount not to exceed \$6,000.00 from the Maine Department of Inland Fisheries & Wildlife for the 2013 ATV Enforcement Grant. Grant funding will be utilized to provide directed ATV enforcement in Augusta.

13-034 Mayor Stokes, Councilors Byron and 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 designate a specific location within the City as the “Augusta East Redevelopment Corporation Economic 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 Augusta East Redevelopment Corporation Economic 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)

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

13-035 Councilors Grant, O’Brien and Munson

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

That Chapter 7, section 2 Voting Places, of the Revised Code of Ordinances 1990, as amended, be further amended as follows:

- (a) For the purposes of this section the term “voting place” shall mean the building in which ballots are cast at an election.
- (b) The voting places in the city wards are the following:
 - Ward 1: Augusta State Armory
 - Ward 2: City Center
 - Ward 3: Augusta Civic Center
 - Ward 4: ~~St. Andrews Parish Hall~~ Cony High School Music Room

- (c) The voting place locations described in subsection (b) of this section may be temporarily changed by Council order provided that the alternative locations and procedures comply with applicable state statutes.

OTHER BUSINESS

Enter into executive session to discuss a pending litigation; 1 M.R.S.A. §405(6)(E)

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
February 20, 2013 (revised)