

**MINUTES FOR THE CITY COUNCIL MEETING
COUNCIL CHAMBERS
THURSDAY, MARCH 6, 2014
7:00 P.M.**

All members of Council were present except Councilor Bilodeau; Mayor Stokes presided.

PROCLAMATION – City of Augusta to Participate in Earth Hour on March 29, 2014 at 8:30 p.m.

PRESENTATION - Camden National Bank

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

READ AND PASSED, FINAL READING

14-037

WHEREAS, the City Council finds that temporary, on-site contractor signs help residents understand the reason for activity at a site; and

WHEREAS, international service organizations have no easy way to reach visiting members; and

WHEREAS, the Planning Board has reviewed the issue, held a public hearing, and made a unanimous recommendation.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following underlined text be added to the Augusta Land Use Ordinance:

5.1.17.8.7 **Temporary Street Graphics.** Temporary street graphics shall be allowed in the following manner:

5.1.17.8.7.1 Contractor. One sign placed at a property where a contractor(s) is performing work may be installed without a permit as follows:

5.1.17.8.7.1.1 Sign shall not be larger than 24” x 18”, unless multiple contractors are working on the job and will create a common sign for all contractors. A project with multiple contractors displayed on a single sign shall not be larger than 48” x 96”.

5.1.17.8.7.1.2 Signs shall not be placed more than 7 calendar days prior to the start of a contractor’s job and shall be removed within 7 calendar days of the completion of the job. Signs for jobs that require a building permit are considered to start on the date the building permit is issued and end on the date a certificate of occupancy is issued. Signs for jobs that do not require a building permit shall not be place for more than 30 calendar days during any 1 calendar year.

NEW BUSINESS

READ AND PASSED, AS AMENDED

14-043

ORDERED, That the City Council approve that the following policy be added to the Bicentennial Nature Park Operating Policies: Augusta tax paying businesses who for every \$100.00 of donation to the park shall receive a transferable season pass for their employees to use regardless of residential status. This includes any nonprofit organization that makes payments in lieu of taxes.

Motion to amend by: McCormick Second by: Byron

Yeas: 7; Byron, Grant, Paradis, O'Brien
Rollins, McCormick, Munson

Nays: 0

Motion for passage, as amended by: Byron Second by: Munson

Yeas: 7; Byron, Grant, Paradis, O'Brien
Rollins, McCormick, Munson

Nays: 0

NEW BUSINESS (Con't)

READ AND TABLED

14-045

WHEREAS, an emergency bill (LD 1754) has been allowed to be considered during this, the second session of the 126th Maine Legislature and is currently under consideration by the Joint Committee on Taxation, and

WHEREAS, LD 1754, if adopted would result in a reduction of vehicle excise tax receipts paid by Central Maine Power (CMP) to the City of Augusta estimated to be on the order of \$200,000 per year resulting in a major adverse fiscal impact to the City, and

WHEREAS, those same excise tax receipts would be realized in much smaller amounts in over twenty other Maine communities where CMP has business operations, and

WHEREAS, just three years ago the 125th Maine Legislature considered and rejected identical legislation and did so at the strong urging of CMP, and

WHEREAS, LD 1754 comes now at the specific request of CMP, and

WHEREAS, nothing related to the technology nor manner in which utility vehicles are registered or excised in Maine has changed in the intervening three years, and

WHEREAS, it is clear to the Mayor and Council of the City of Augusta that CMP's motivation in advancing LD 1754 is to punish the City of Augusta for the manner in which the City procured natural gas supplies from the competitor to CMP's sister corporation Maine Natural

Gas as evidenced by, among other things, direct comments during that process from the President of CMP to the Mayor, City Manager and Augusta Parking District Chairman, and

WHEREAS, the Mayor and City Council of Augusta believe that it is highly improper for CMP to attempt to use the State's legislative process to effect petty retribution for a business disagreement with a single community in the guise of being equitable with other communities and in the process refuting its own testimony of just three years past, and that its actions constitute unreasonable acts and practices by a public utility, now

THEREFORE, BE IT RESOLVED, that the Augusta City Council does hereby condemn the attempt by CMP to misuse the legislative process and in so doing to significantly damage the collaboration and good will that has characterized the century old positive relationship that has existed between CMP and the City of Augusta and does urge the members of the 126th Legislature to reject LD 1754 just as it did its predecessor bill in 2011.

Motion to Table (to discuss in Executive Session) by: Rollins Second by: Byron
Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0

14-040

ORDERED, That the minutes of the City Council meetings held February 20, 2014 and February 27, 2014, submitted by the City Clerk be approved.

Motion for passage by: Munson Second by: Byron
Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0

14-041

ORDERED, That the Roll of Accounts for the month of February 2014 in the amount of \$4,516,969.03 be approved.

Motion for passage by: Munson Second by: Byron
Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0

14-042

ORDERED, That the City Council accept from Alford Center for Health a donation for the Farmers' Market at Mill Park in an amount totaling \$5,000.00.

Motion for passage by: Munson Second by: Byron
Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0

14-044

Ordered, that the City Manager is authorized to accept federal fiscal year 2013 Homeland Security Grant funds in the amount of \$109,256.43 and to appropriate the funds as follows:

- Training and Emergency Planning: \$10,000
- Hazardous Material Exercises: \$3,000
- Traffic Control Supplies: \$4,000
- Tactical Gear, Personal Protective Equipment and Vests: \$12,256
- Emergency Operation Center – Backup Dispatch Center: \$80,000.43

Motion for passage by: O’Brien Second by: Byron

Yeas: 7; Byron, Grant, Paradis, O’Brien
 Rollins, McCormick, Munson

Nays: 0

14-046

ORDERED, That the City Council enter into executive session to discuss

- labor negotiations; 1 M.R.S.A., §405(6)(D)
- pending litigation; 1 M.R.S.A. §405(6)(E)

Motion for passage by: O’Brien Second by: Rollins

Yeas: 7; Byron, Grant, Paradis, O’Brien
 Rollins, McCormick, Munson

Nays: 0

Meeting into Executive Session in Conference Room A at 7:55 p.m.

Meeting reconvened at 9:55 p.m.

NEW BUSINESS (Con’t)

READ AND PASSED, AS AMENDED

14-045

WHEREAS, LD 1754 has been allowed to be considered during this, the Second Session of the 126th Maine Legislature and is currently under consideration by the Joint Standing Committee on Taxation; and

WHEREAS, LD 1754, if adopted would result in a reduction of vehicle excise tax receipts paid by Central Maine Power (CMP) to the City of Augusta estimated to be on the order of \$200,000 per year resulting in a major adverse fiscal impact to the City; and

WHEREAS, those same excise tax receipts would be realized in much smaller amounts in over twenty other Maine communities where CMP has business operations; and

WHEREAS, just three years ago, the 125th Maine Legislature considered and rejected identical legislation and did so at the strong urging of CMP, and

WHEREAS, LD 1754 comes now at the specific request of CMP; and

WHEREAS, nothing related to the technology nor manner in which utility vehicles are registered or excised in Maine has changed in the intervening three years; and

WHEREAS, it appears that CMP's motivation in advancing LD 1754 is to penalize the City of Augusta for the manner in which the City handled the process of procuring natural gas supplies for City facilities, as evidenced by, among other things, direct comments during that process from the President of CMP to the Mayor, City Manager and Augusta Parking District Chairman; and

WHEREAS, these actions constitute unreasonable acts and practices by a public utility; now

THEREFORE, BE IT UNANIMOUSLY RESOLVED, That the Augusta City Council does hereby strongly object to CMP misusing the Maine Legislature, in an effort to cause significant damage to the City's financial position and the collaboration and good will that has characterized the century old positive relationship that has existed between CMP and the City of Augusta; and be it further

RESOLVED, that we respectfully request that the Honorable Members of the 126th Legislature reject LD 1754.

Motion to remove from Table by: McCormick Second by: Byron
Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0

Motion to amend (replace entire document) by: Rollins Second by: Byron
Yeas: 6; Byron, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0
(Grant abstained)

Motion for passage, amended by: Paradis Second by: Byron
Yeas: 6; Byron, Paradis, O'Brien
 Rollins, McCormick, Munson
Nays: 0
(Grant abstained)

Meeting adjourned at 10:10 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
March 17, 2014