

**AGENDA FOR THE OATH OF OFFICE AND REGULAR CITY COUNCIL MEETING
THURSDAY, JUNE 16, 2011
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

There will be no pre-meeting. A reception for the newly elected Mayor will be held outside the Council Chambers at 6:30 p.m.

OATH OF OFFICE – Mayor
William R. Stokes

PUBLIC HEARING – Malt and Vinous Liquor License application for Peter Edgecomb,
d/b/a Game On Cafe

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.

11-73 Manager (Bureau of City Clerk & Treasury)

ORDERED, That the minutes of the City Council meeting held June 2, 2011, submitted by the City Clerk, be approved.

11-74 City Manager

ORDERED, That City Council accepts various donations for Kennebec Celebration Festival in an amount totaling Seven Hundred and Ninety Nine Dollars (\$799.00).

11-75 City Manager

ORDERED, That the City Council accepts donations from Kenway Corporation in the amount of \$200.00, from the Wolfington Group in the amount of \$600.00 and from various donations in the amount of \$1,525.00 for a total of \$2,325.00 for the Petanque Courts at Mill Park.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

11-66 City Manager

ORDERED, That the City of Augusta property taxes for the 2012 fiscal year shall be due and payable at the Office of the Tax Collector as follows:

- ONE HALF shall be due on September 15, 2011
- ONE HALF shall be due on March 15, 2012

BE IT FURTHER ORDERED, That interest is charged on any outstanding amount commencing one (1) day after the due date at the rate of 7% per annum.

OLD BUSINESS AND TABLED MATTERS (Con't)

SECOND READING

11-71 City Manager

WHEREAS, the Federal Emergency Management Agency requires municipalities to adopt specific floodplain zoning regulations in order to participate in the National Flood Insurance Program (NFIP); and

WHEREAS, participation in the NFIP by a municipality is required in order for the municipality to qualify for certain disaster relief funds from the federal government; and

WHEREAS, participation in the NFIP by a municipality is required in order for residents of the municipality to purchase flood insurance; and

WHEREAS, mortgage financing by financial institutions requires flood insurance be purchased for properties located in the floodplain; and

WHEREAS, a great deal of commercial and residential property in the City of Augusta is within the designated floodplain and therefore would require flood insurance in order for a buyer to obtain financing to purchase the property.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following amendments be made to the Land Use Ordinance: (see attachment)

11-72 City Manager

WHEREAS, the Kennebec County Courthouse intends to expand to the east; and

WHEREAS, the current Kennebec Business District 1 zoning on the parcels adjacent to the courthouse do not permit courts as a use and have very limited height restriction relative to Water Street's elevation.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that a rezoning of the parcels be initiated and sent to the Planning Board for public hearing, in accordance with Section 1.6.1.2 of the Land Use Ordinance. And that the Planning Board considers the following rezoning recommendation, with the stipulation that any recommendation for modification of the proposal be considered by the Board based on public comment or the Board's knowledge of the area:

Amend the Official Zoning Map, to move Tax Map 33, Lot 208A, 223, and 229 from the KBD1 zoning district to the adjacent BP zoning District.

NEW BUSINESS

PART 1 - ORDERS

11-76 Manager (Bureau of City Clerk)

ORDERED, That the following application for a Malt and Vinous Liquor License be approved:

Peter Edgecomb, d/b/a Game On Café

11-77 City Manager

ORDERED, That the City Council, consistent with salary adjustments awarded to union employees, authorize a 2% cost-of-living salary adjustment to full-time and permanent part-time non-union employees at the start of the pay week closest to July 1, 2011.

ORDERED, That the City Council authorize the following monthly premiums to be paid for group health insurance provided to eligible non-union employees and their dependants. Amend the City Administrative regulations, Section III C.5 to read:

Effective July 1, 2011 the City will pay 85% of the total monthly health insurance premiums for employees and their eligible dependants. Employees will be responsible for the remaining 15% of the total monthly premium.

11-78 Mayor Rollins

ORDERED, That the City Council authorizes the City Manager to accept (2) two Brownfield Cleanup Grants being offered by the Environmental Protection Agency (EPA) in the amount of \$200,000 apiece, \$400,000 total, for the cleanup of the former American Tissue Mill site and that the City Manager is authorized to negotiate, on behalf of the City Council, any terms and conditions of the grant with EPA.

BE IT FURTHER ORDERED, That the City Council authorizes the City Manager to raise the required \$80,000 in local match for these grants from unused appropriations for the American Tissue Mill site, the Quimby Lot and the remaining amount coming from Council Contingency account.

11-79 Manager (Bureau of City Clerk & Treasurer)

ORDERED, That the tabulation results for the Special Municipal Election held June 7, 2011 submitted by the City Clerk & Treasurer, be and hereby certified.

NEW BUSINESS (Con't)

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

11-80 Mayor Rollins

WHEREAS, the expansion and improvement of Augusta’s educational offerings, maintaining the Cony School system as one of the best in the state is identified as a goal in the 2007 Comprehensive Plan; and

WHEREAS, Cony High School and the Capital Area Technical Center have the opportunity to work with a financial institution to serve both educational needs and service needs within the school.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following amendments be made to the Land Use Ordinance, Official Zoning Map:

The lot known as Assessor’s Map 10, Lot 22 shall be rezoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be Planned Development (PD) District with two uses specifically allowed as permitted uses – “Educational Services” and “Finance Services” (a limited subset of the “Finance, Insurance, and Real Estate Services” use).

11-81 Mayor Rollins

WHEREAS, the 2007 Growth Management Plan for the City of Augusta encourages efficient review of projects to encourage business development, while also ensuring adequate public input to development projects; and

WHEREAS, the Planning Board held a public hearing on March 8, 2011, and voted unanimously modify the Land Use Ordinance to enable all development projects to be heard in a single meeting, when the circumstances of the project do not demand additional meetings.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following amendments be made to the Augusta Land Use Ordinance:

Amend Section 4.3.1, second paragraph, as follows:

As to any intended subdivision of land or as to any intended major or minor development, the sub-divider or developer shall prepare and formally submit:

Amend Section 4.4, first sentence, as follows; leaving the text that follows the first sentence in tact:

Before submission of a formal preliminary plan, a pre-application for a subdivision or major/minor development shall be made to the City Planner and shall include six (6) copies of a sketch plan.

Amend Section 4.5, section title, as follows:

Preliminary Plan: (~~Major Subdivisions and Major Developments~~ All subdivisions and developments)

Amend Section 4.5.1.1, General, as follows:

(1) ~~Minor subdivisions and minor developments shall not require preliminary approval by the Planning Board. However, all information required for preliminary plan~~

submission is also required for a minor subdivision or minor development. Preliminary and final plan approvals shall occur at the same meeting, effectively combining the process such that any development could be approved in a single Planning Board meeting provided all information required by the ordinance and the Planning Board is present for the public and Planning Board to review. If the Planning Board finds at the first public hearing that additional information is necessary to make their decision, the Board may table the item, after discussion, to a later date when the requested material is available. All subdivisions and developments are required to submit the information required for preliminary approval and final approval. Where there are overlaps, the information does not have to be provided twice.

Repeal Section 4.5.3, Planning Board Decision, as it relates to the preliminary approval decision that is being eliminated.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
June 14, 2011