

**MINUTES FOR THE CITY COUNCIL MEETING
COUNCIL CHAMBERS
THURSDAY, SEPTEMBER 4, 2014
7:00 P.M.**

All members of Council were present; Mayor O'Brien presided.

Public Hearing - NRF Distributors, Inc. Facility Consolidation Economic
 Development Program and Tax Increment Financing District

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

READ AND PASSED, AS AMENDED, FINAL READING

14-149

WHEREAS, the City Council finds that changes to the Mineral Extraction Ordinance will better protect neighborhoods and not be a significant burden to industry;

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the ordinance changes outlined in the document titled Division 3: Mineral Extraction Draft ~~August 17, 2014~~ September 4, 2014, shall be made as follows: 1) text underlined shall be added to the ordinance; 2) text in strike-through shall be deleted from the ordinance. Note: Items highlighted in yellow are not additions or deletions and are only temporarily highlighted to draw the Council's and public's attention to the standards in Section 6-76 that existing mineral extraction sites remain exempt from meeting.

Motion to Amend, to change language (date), by: Bilodeau Second by: Paradis
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

Motion to Amend, to change language (~~and~~ to or), by: Bilodeau Second by: Paradis
Yeas: 6; Byron, Grant, Paradis,
 Rollins, Bilodeau, Munson
Nays: 1; McCormick

Motion for Passage, As Amended, by: Rollins Second by: McCormick
Yeas: 6; Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 1; Byron

OLD BUSINESS AND TABLED MATTERS (Con't)

READ AND PASSED, FINAL READING

14-148

WHEREAS, the City Council finds that changes are necessary to clarify the blasting ordinance and to enable additional methods of notification;

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the City of Augusta Blasting Ordinance, Section 6-84(a)(1) and Section 6-85(b) be amended as shown in the attached Draft dated August 1, 2014 (strikethrough text to be removed, underlined text to be added).

Motion for Passage by: Bilodeau Second by: Munson
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

NEW BUSINESS

READ AND PASSED

14-151

ORDERED, That the minutes of the City Council meetings held August 21, 2014 and August 28, 2014, submitted by the City Clerk be approved.

Motion for Passage by: Paradis Second by: Byron
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

14-152

ORDERED, That the Roll of Accounts for the month of August, 2014 in the amount of \$5,886,687.80 be approved.

Motion for Passage by: Paradis Second by: Byron
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

14-153

ORDERED, That Patten Williams be reappointed to the Zoning Appeals Board; said term to expire September 1, 2017.

Motion for Passage by: Paradis Second by: Byron
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

14-154

WHEREAS, the City of Augusta (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, (i) to designate a specific location within the City as the “NRF Distributors, Inc. Facility Consolidation Economic Development Program and Tax Increment Financing District” (“NRF District 2”) and to adopt a Development Program for the District (the “NRF Development Program 2”), and (ii) to further amend the previously adopted and amended NRF Distributors, Inc. Municipal Development and Tax Increment Financing District (“NRF District 1”) and related Development Program (the “NRF Development Program 1”); and

WHEREAS, there is a need to grow and maintain high quality, good paying jobs with a full range of benefits in the City of Augusta; and

WHEREAS, implementation of the the NRF Development Program 2 will help to provide additional investment in the City of Augusta; 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 further amendment of NRF District 1 and the establishment of NRF District 2 in accordance with the provision of Chapter 206 of Title 30-A; and

WHEREAS, the City desires to designate NRF District 2, and to adopt the NRF Development Program 2 for said 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 NRF District 2 and the adoption of the NRF Development Program 2 for NRF District 2.

NOW THEREFORE BE IT ORDERED, That the attached NRF Development Program 2, which further amends NRF District 1 and the NRF Development Program 1 and creates the NRF Distributors, Inc. Facility Consolidation Economic Development Program and Tax Increment Financing District, be approved and that the City Manager is authorized to sign a Credit Enhancement Agreement with the developer consistent with the NRF Development Program 2 adopted herein.

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 designation of NRF District 2 and implementation of the NRF Development Program 2 and the related amendment to NRF District 1 and implementation of the NRF Development Program 1 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 pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the increased assessed value to be retained as captured assessed value in NRF District 2 is hereby established as set forth in the NRF Development Program 2.

BE IT FURTHER ORDERED, That the City Manager be, and hereby is, authorized and empowered and directed to prepare and submit to the Commissioner of the Department of Economic and Community Development (DECD) for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), an application or separate applications for approval of (i) the proposed designation of NRF District 2 and adoption of the NRF Development Program 2 and (ii) the proposed further amendments to NRF District 1 and the NRF Development Program 1, the form of which application or applications shall be as the City Manager determines to be reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, so long as such revisions are consistent with this Order and the basic structure and intent of the NRF Development Program 2.

Motion for Passage by: Byron Second by: Paradis

Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson

Nays: 0

14-155

ORDERED, That the City Council authorize a Beer Tent to be held on Sunday, October 19, 2014 or alternative inclement weather date at the City's Bond Brook Recreation Area during the Augusta Trails 3rd Annual Tread Fest.

BE IT FURTHER ORDERED, That the Beer Tent be managed and operated by a duly licensed vendor with all applicable licenses, permits and insurance in place prior to the event and that all servers will be properly TIPS trained and certified.

Motion for Passage by: Paradis Second by: Byron

Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson

Nays: 0

14-156

BE IT ORDERED, That the following sums be and hereby are appropriated for the following capital improvements:

Buker Play Structure	\$ 50,000
Fire Chief Replacement Vehicle	30,000
Hartford Fire Station Floor upgrade	60,000
Replace Lights (Winthrop St. to Bridge St.)	40,000
Street Paving	50,000
Paving (Cony St. to Haskell St.)	50,000
Sidewalks	7,000
Pedestrian Flashers	15,000
Upgrade Lockers at Police Department	30,000
Street Signage Improvements	12,000

Mower Replacement	20,000
Pool Repairs	6,000
Pools – ADA Lifts	5,000
Williams Play Structure	50,000
Buker Community Center Exterior Trim	15,000
Buker Community Center Replacement Windows	10,000
Buker Community Center Roof Renovations	20,000
City Center Replace Exterior Doors	8,000
City Center Replace Stair and Landing Treads	10,000

BE IT FURTHER ORDERED, That \$50,000 is hereby appropriated from the Unassigned Fund Balance of the Childcare Special Revenue Service Fund.

BE IT FURTHER ORDERED, That \$130,000 is hereby appropriated from the Downtown Tax Increment Financing District.

BE IT FURTHER ORDERED, That \$100,000 is hereby appropriated from the Community Natural Gas Tax Increment Financing District.

BE IT FURTHER ORDERED, That \$208,000 is hereby appropriated from the City’s unassigned fund balance.

BE IT FURTHER ORDERED, That the following sums be and hereby are authorized for the following capital improvements:

Central Garage:	
1 Pickup with utility body	\$ 28,000
1 SUV 4-wheel drive	28,000
1 Grader with wing	200,000
1 Class 8 Dump with plow and wing	150,000
1 Fork lift (used)	16,000

Motion for Passage by: Rollins Second by: Byron
 Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
 Nays: 0

14-157
 ORDERED, That the City Manager is authorized to contract with Johnson Roberts Associates, Architects for professional services related to design and construction oversight of the Lithgow Library renovation and expansion pursuant to a fee schedule proposal submitted on July 23rd 2014 by Steward Roberts of Johnson Roberts Associates in an amount not to exceed \$798,120. Said contract to be approved as to form by Corporation Counsel. The City Manager is also authorized to contract and pay directly for or to reimburse the architect for project costs associated with printing or distribution of bid documents, geotechnical testing, materials testing, land surveying, furnishings specification and procurement, advertisements, legal fees, owner’s representation and inspection costs, and related third party expenses not included within the contract for architectural and inspection services but necessary to proceed with the project.

Motion for Passage by: Byron Second by: Rollins
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

14-158

ORDERED, That the City Council enter into an executive session to discuss a pending litigation;
1 M.R.S.A., §405(6)(E).

Motion for Passage by: Paradis Second by: Byron
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, McCormick, Munson
Nays: 0

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
September 8, 2014