

**AGENDA FOR THE CITY COUNCIL MEETING
COUNCIL CHAMBERS
THURSDAY, OCTOBER 2, 2014
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 – Recognizing Capitol Area Recreation Association’s (CARA) 40th Anniversary

PRESENTATION - Signage for Jeff Gagnon Way

PUBLIC HEARING – Malt, Spirituous and Vinous Liquor License application for James Reis, Shake It Up

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.

14-169 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held September 18, 2014, submitted by the City Clerk be approved.

14-170 Mayor O’Brien

ORDERED, That Steve P. Dumont be reappointed to the Planning Board; said term to expire October 6, 2017.

14-171 Mayor and Council

ORDERED, That Mikaela Ziobro and Ian Farley be appointed to the Conservation Commission; said terms to expire October 2, 2017.

14-172 City Manager

ORDERED, That the City Council accept from the Augusta Downtown Alliance a donation from a Wellness grant they received for the paved connector from the Peachey parking lot to the Bus Depot and Rail Trail as part of the Bus Depot relocation and Market Square projects in an amount totaling Three Thousand Dollars (\$3,000.00).

NEW BUSINESS

PART 1 – ORDERS

14-173 Manager (Bureau of City Clerk)

ORDERED, That the application for a Malt, Vinous and Spirituous Liquor License be approved:
James Reis, Shake It Up

14-174 Manager (Bureau of City Clerk)

ORDERED, That Voter Registration hourly schedule for open session for the November 4, 2014 General / Referendum and Municipal / Referendum Election be:

Thursday - October 30, 2014 from 1:00 pm to 6:00 pm.

The intent of this order is to change the evening session time in accordance with M.R.S.A., Title 21-A, Section 122(8), as amended.

14-175 Councilors Bilodeau, Byron and Rollins

ORDERED, That the City Manager is authorized to offer for sale by sealed bid or public auction the city owned tax acquired property located at 94 Winthrop Street, Augusta, Maine, 04330, Map 27, Lot 121.

BE IT FURTHER ORDERED, That the net proceeds from the sale will be credited to the reserve for demolition of unsafe structures located in the city.

BE IT FURTHER ORDERED, That the City Council reserves the right to reject any and all bids.

14-176 Councilors Bilodeau, Byron and Rollins

ORDERED, That the City Council accept the bid on the following tax acquired property:

- Buckwood Road, Map 9, Lot 11, Lot Size: 6.79 acres, Bid: \$6,750.00, Bidders: Catherine M. Cobb and Julie A. Bernier, 90 Buckwood Road, Augusta, ME.

BE IT FURTHER ORDERED, That the net proceeds from the sale will be credited to the reserve for demolition of unsafe structures located in the city.

BE IT FURTHER ORDERED, That the City Council reserves the right to reject any and all bids.

NEW BUSINESS (Con't)

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

14-177 City Manager

BE IT ORDAINED, That Chapter 2. Article VI. Procurement, be amended (strikethrough text to be removed, underlined text to be added) as follows:

Sec. 2-228. Definitions is amended by adding the following:

Construction management at risk. The contractor provides services to the owner, including design services, scheduling, cost control, value engineering and construction coordination. After providing pre-construction services, the contractor takes on the financial obligation to complete the project under a specified cost agreement.

AND, BE IT FURTHER ORDAINED, That, Chapter 2, Article VI, Procurement, be amended as follows:

Sec. 2-320. Purchases under and over \$10,000.00 – Design/build services and construction management at risk.

- (a) *Services requiring formal competitive proposal process.* Purchase of special or professional services, as defined above which are anticipated to exceed ten thousand dollars (\$10,000.00), ~~or~~ design/building services, or construction management at risk shall be made by a competitive proposal process as described in item (1) of this section. The award of any contract for design/build services or construction management at risk shall require the approval of the Purchasing Officer. Notwithstanding the requirements of this section, said purchases may be made by competitive bid if the selection of a provider can reasonably be based upon the lowest possible price as determined by the department head.

14-178 Council

WHEREAS, the City Council finds that the Planning Board held a public hearing on the issue of small distilleries, breweries, and bakeries, and made a unanimous recommendation to add this new use to the Land Use Ordinance;

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended to add the following definition to Section 2.2, Other Definitions.

Small Distilleries, Breweries, and Bakeries: Any distillery, brewery, or bakery, with or without an associated restaurant or retail component that occupies less than 5,000 square feet of floor space. Any retail element must be primarily for the sale of the product being produced on-site.

And that Table 3.6.A.1, Land Uses in the Base Zoning Districts, of the Augusta Land Use ordinance be amended to add this new use and allow it as a permitted use in the following zoning districts: Industrial (IA), Planned Development (PD), Kennebec Lockes (KL), Kennebec Business District 1 (KBD1), Kennebec Business District 2 (KBD2), Local Business (CB); and as a conditional use in the following zoning districts: Rural Village (RV), Institutional/Business/Professional (BP), and Planned Development 2 (PD2).

COMMUNICATIONS

Committee Reports
City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
September 29, 2014