

**MINUTES FOR THE CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
THURSDAY, OCTOBER 16, 2014  
7:00 P.M.**

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

Proclamation - White Cane Day/Walk Saturday, October 18, 2014

Proclamation - Lung Cancer Awareness Month

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

READ AND PASSED, FINAL READING

14-177

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.

Motion for Passage by: Byron                      Second by: McCormick

Yeas: 6;              Byron, Grant,  
                                 Rollins, Bilodeau, McCormick, Munson

Nays: 0

14-178

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).

Motion for Passage by: Byron                      Second by: McCormick

Yeas: 6;              Byron, Grant,  
   Rollins, Bilodeau, McCormick, Munson

Nays: 0

## NEW BUSINESS

### READ AND PASSED, AS AMENDED (EMERGENCY)

14-185

ORDERED, That the City Council finds that a public nuisance (a failure of a subsurface waste water disposal system) does exist on the property situated at 591 Eastern Avenue, Augusta, Maine 04330, Map 11, Lot 186 and does hereby authorize the City Manager take appropriate steps to abate said public nuisance.

BE IT FURTHER ORDERED, That the City will, subsequent to abatement, record at the Kennebec County Registry of Deeds a "Notice of Municipal Special Tax Assessment" perfecting a security in the said property in the amount required for abatement. Said expenditure not to exceed \$10,000, to be appropriated from the general fund unassigned fund balance.

This order shall go into effect immediately because it would be a public health hazard to delay abatement of failed subsurface waste water disposal system.

Motion to Amend (emergency) by: Rollins                      Second by: Byron

Yeas: 6;              Byron, Grant,  
   Rollins, Bilodeau, McCormick, Munson

Nays: 0

Motion for Passage, as amended, by: Munson            Second by: Bilodeau  
Yeas: 6;        Byron, Grant,  
                    Rollins, Bilodeau, McCormick, Munson  
Nays: 0

NEW BUSINESS (Con't)

READ AND PASSED

14-179

ORDERED, That the minutes of the City Council meeting held October 2, 2014, submitted by the City Clerk be approved.

Motion for Passage by: Byron            Second by: Bilodeau  
Yeas: 6;        Byron, Grant,  
                    Rollins, Bilodeau, McCormick, Munson  
Nays: 0

14-180

ORDERED, That Ida Gammon, 144 State Street, be appointed as Ward 1 Warden, Nancy Berg, 434 Eastern Avenue, be appointed Ward 2 Warden and Patricia Sevigny, 281 Ward Road, be appointed Ward 4 Warden for the November 4, 2014 General / Referendum and Municipal / Referendum Election.

Motion for Passage by: Byron            Second by: Bilodeau  
Yeas: 6;        Byron, Grant,  
                    Rollins, Bilodeau, McCormick, Munson  
Nays: 0

14-181

ORDERED, That Dave Cheever be reappointed to the Strategic Communications Committee; said term to expire October 16, 2017.

Motion for Passage by: Byron            Second by: Bilodeau  
Yeas: 6;        Byron, Grant,  
                    Rollins, Bilodeau, McCormick, Munson  
Nays: 0

14-182

ORDERED, That Jane Coryell be reappointed to the Old Fort Western Board of Trustees; said term to expire October 16, 2017.

Motion for Passage by: Byron            Second by: Bilodeau  
Yeas: 6;        Byron, Grant,  
                    Rollins, Bilodeau, McCormick, Munson  
Nays: 0

14-183

ORDERED, That the City Manager is authorized to make provision for the placement and maintenance of a memorial to patients of the former Augusta Mental Health Institute.

Motion for Passage by: Byron                      Second by: McCormick

Yeas: 6;            Byron, Grant,  
                         Rollins, Bilodeau, McCormick, Munson

Nays: 0

14-184

ORDERED, That the City Manager is authorized to accept federal fiscal year 2014 Homeland Security Grant funds in the amount of \$118,448.64 and to appropriate the funds as follows:

State Homeland Security Program:

Fire Training and Emergency Planning:	\$10,000.00
Fire Department Gear and Equipment:	\$ 7,605.82
Regional Food Canteen for Kennebec County	\$30,000.00

Law Enforcement Training/Planning Preparedness:

Security Cameras	\$40,000.00
Police Department Training	\$10,000.00
Police Department Tactical Protective Vests:	\$10,842.82
Security Cameras:	\$10,000.00

Motion for Passage by: Byron                      Second by: Bilodeau

Yeas: 6;            Byron, Grant,  
                         Rollins, Bilodeau, McCormick, Munson

Nays: 0

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk  
October 20, 2014