

**AGENDA FOR THE CITY COUNCIL MEETING
COUNCIL CHAMBERS
THURSDAY, OCTOBER 16, 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 – White Cane Day/Walk Saturday, October 18, 2014

PROCLAMATION – Lung Cancer Awareness Month

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.

14-179 Manager (Bureau of City Clerk)

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

14-180 Manager (Bureau of City Clerk)

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.

14-181 Mayor O'Brien

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

14-182 Mayor O'Brien

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

OLD BUSINESS AND TABLED MATTERS

SECOND READING

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).

NEW BUSINESS

PART 1 – ORDERS

14-183 Mayor and Council

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.

14-184 City Manager

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

14-185 City Manager

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.

OTHER BUSINESS

COMMUNICATIONS

Committee Reports
City Manager's Report

Respectfully submitted,



Cheryl A. Holmes, Deputy City Clerk
October 14, 2014



PAUL R. LEPAGE
GOVERNOR

BG JAMES D. CAMPBELL
COMMISSIONER

STATE OF MAINE
DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
MAINE EMERGENCY MANAGEMENT AGENCY
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BRUCE FITZGERALD
DIRECTOR

September 29, 2014

Roger Audette, Fire Chief/EMA Director
City of Augusta
16 Cony Street
Augusta, Maine 04330

Dear Chief Audette:

I am pleased to notify you of the City of Augusta's FY2014 Homeland Security Grant Program funding award through the Maine Emergency Management Agency. I am pleased to award \$118,448.64 to the City of Augusta to improve preparedness and response capabilities for Homeland Security related events in the State of Maine.

In order to move forward with the FY2014 funding, MEMA requests that you sign and return the attached MOU, as well as the two new attachments. Please verify your DUNS number in Attachment 1 to the MOU, as part of a Federal requirement.

This funding will be available from the date of this letter until either: 1) the funds are completely drawn down for eligible expenses or 2) August 31, 2016. MEMA will not reimburse for expenses under the grant until the signed MOU has been received, and the enclosed annual NIMS Compliance Survey has been completed and returned.

Specifically, you are authorized to make the following purchases in accordance with your FY2014 grant application:

- Mobile Food Unit
- Planning Activity
- HazMat Team Exercise Backfill
- LE Exercises/Trng
- LE Tactical Vests
- LE Cameras*
- Security Cameras*
- Admin. Support
- HazMat Exercise/Trng
- LE Backfill
- PD Vehicles Usage for Exercise/Trng

*According to the AEL Codes, these require an EHP.

U. S. Department of Homeland Security
FY2014 State Homeland Security Grant Program
Grant Number: EMW-2014-SS-00061
CFDA Number: 97.087
Grant Period: 9-1-14 to 8-31-16