

**CITY OF AUGUSTA  
AGENDA FOR THE CITY COUNCIL BUSINESS MEETING  
COUNCIL CHAMBERS CITY HALL  
THURSDAY, JUNE 6, 2019  
7:00 P.M.**

There will be a pre-meeting of the City Council in Conference Room A at 6:30 p.m. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

**PUBLIC HEARING:** Malt and Vinous Liquor License application by Jessie and Rachel Hardie owners of Wander Pizza Company LLC located at 265 Western Avenue.

**PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:**

**CONSENT AGENDA:**

**19-078 City Manager (Bureau of City Clerk)**

**BE IT ORDERED**, that the minutes of the City Council Regular Business Meeting held May 16, 2019, submitted by the City Clerk's office be approved.

**19-079 City Manager (Bureau of City Clerk)**

**BE IT ORDERED**, that the minutes of the City Council Special Business Meeting held May 30, 2019, submitted by the City Clerk's office be approved.

**19-080 City Manager (Bureau of Audit)**

**BE IT ORDERED**, that the Roll of Accounts for the month of May 2019 in the amount of \$7,943,843.12 be approved.

**19-081 Mayor**

**BE IT ORDERED**, that James Bass is hereby reappointed to the Board of Zoning Appeals, said term to expire June 6, 2022.

**19-082 City Manager**

**BE IT ORDERED**, that the City Council does hereby grant approval pursuant to Title 15 M.R.S., §5824(3) & §5826(6) to the transfer of \$1,956.00, or any portion thereof to the Augusta Police Department, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of the criminal case, namely, State of Maine vs. Stanley M. Piper.

**19-083 City Manager**

**BE IT ORDERED**, that the City Manager is hereby authorized to accept grant funding in the amount not to exceed \$6,000.00 from Inland Fisheries & Wildlife for the 2019 Fall ATV Enforcement Grant. Grant funding will be utilized to provide directed ATV Enforcement. There is an in-kind match requirement of \$1,900.00 which is met with the use of the departmental ATV, fuel and the supervisor's time administering the grant.

**19-084 City Manager**

**BE IT ORDERED**, that the City Manager is hereby authorized to list for sale, or to otherwise dispose of, the following Police Department surplus and recovered property:

1. Twenty eight (28) used police flashlights
2. Thirteen (13) bicycles

**19-085 City Manager (Bureau of Tax Collector)**

**BE IT ORDERED**, that the City of Augusta property taxes for the 2020 fiscal year shall be due and payable at the Office of the Tax Collector as follows:

- ONE HALF shall be due on September 12, 2019
- ONE HALF shall be due on March 12, 2020

**BE IT FURTHER ORDERED**, that interest is charged on any outstanding amount commencing one (1) day after the due date at the rate of 9% per annum.

**BE IT FURTHER ORDERED**, that any tax payment received as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill (36 MRSA §906).

**OLD BUSINESS AND TABLED MATTERS:**

**SECOND READING (ORDINANCES)**

**19-006 Councilor Wilson Tabled from January 17, 2019**

**BE IT ORDAINED**, that the Code of Ordinances, Article VI, Chapter 237 is hereby amended to add a new section as follows:

Sec. 237-22 A:

The City may offer designated locations on City property where recyclables, as defined by Sec. 237(5), may be deposited by residents of the City. Any person who is a non-resident who deposits recyclables at such City designated location(s) or any resident or non-resident who deposits non-recyclable material or removes any material from such locations or otherwise fails to properly deposit or tampers with recyclables, shall be subject to a penalty of \$500 \$250 per offense.

**19-073 Councilors Elliott and Wilson**

**WHEREAS**, providing additional opportunity for parking is important in densely developed areas; and

**WHEREAS**, the Planning Board held a public hearing and voted unanimously to recommend modifications to the Land Use Ordinance;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments shown in underlined font be added to the Code of Ordinances, Land Use Ordinance:

§ 300-513.B.

(d) Exceptions to on-site parking. All off-street parking shall be located on the same lot as the principal structure or use to be served except:

[1] As permitted by the Planning Board;

[2] Uses located in the Kennebec District 1 Zone in existence prior to the effective date of this chapter; Requests for off-site parking in Subsection B(1)(d)[1] and [2] above must meet the following requirement: If not owned in fee by the applicant, the use of the land shall be legally bound to serve as a parking lot for the life of the building or use that is being permitted to serve.

[3] As permitted by the Planning Board, places of worship located in the BP and RC District, provided that the minimum number of spaces required for a development proposal by said places of worship shall be available on a public street within 1,000 feet of the place of worship.

[4] As a conditional use, and as permitted by the Planning Board, properties which have inadequate land on-site to meet parking requirements may, on a separate lot provide for up to six (6) parking spaces as a primary use. If not owned in fee by the applicant, the use of the land for parking shall be legally bound to serve as a parking lot for the life of the building or use that it is being permitted to serve. This subsection shall not be apply in any locally designated historic district.

**19-074 City Manager Tabled from May 16, 2019**

**WHEREAS**, the city finds that regulating medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the Planning Board and City Council held multiple public hearing and heard substantial testimony on the topic; and

**WHEREAS**, the following modifications to the Land Use Ordinance are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments be adopted to the Code of Ordinances, Land Use Ordinance:

Add the following definitions in proper alphabetical order to Section 300-202 (Other Definitions):

- Medical Marijuana Businesses. Includes Indoor Medical Marijuana Cultivation Area, Outdoor Medical Marijuana Cultivation Area, Medical Marijuana Testing Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Registered Caregivers, Medical Marijuana Caregiver Retail Store, Medical Marijuana Registered Caregiver (Home Occupation), and Registered Dispensaries.
- Indoor Medical Marijuana Cultivation Area. An indoor area used for medical marijuana cultivation in accordance with state law that is enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area under state law.
- Outdoor Medical Marijuana Cultivation Area. An outdoor area used for medical marijuana cultivation in accordance with state law that is enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area under state law.
- Medical Marijuana Manufacturing Facility. A registered tier 1 or tier 2 manufacturing facility, as designated by state law, or a person authorized to engage in marijuana extraction under 22 MRS §2423-F.
- Registered dispensary. "Registered dispensary" or "dispensary" means an entity registered under 22 MRS §2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.
- Marijuana testing facility. A public or private laboratory that is authorized and accredited in accordance with state law.
- Medical Marijuana Caregiver Retail Store. A location other than the permanent residence of a registered caregiver or a qualifying patient from which a registered caregiver provides marijuana for medical use to a qualifying patient.

- Medical Marijuana Registered Caregiver. A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law. A Medical Marijuana Registered Caregiver may operate in a variety of ways including operating one retail store, in accordance with state law and the standards of this ordinance.
- Medical Marijuana Registered Caregiver (Home Occupation). A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law and in accordance with the Home Occupation standards of this ordinance. This use shall be delivery-only, with no visits to the Caregiver's home by patients.

Alter and delete the following definitions to Section 300-202 (Other Definitions):

- ~~Specialized Medical Clinic.~~ A facility that dispenses methadone ~~or medical marijuana~~ to patients. A ~~medical marijuana dispensary~~ may also grow and process the product at the same facility. Typical accessory uses for a ~~medical marijuana dispensary or grow facility~~ may include, but are not limited to, counseling services associated with the medical conditions being treated with ~~medical marijuana~~, ~~processing and cooking facilities for preparing the marijuana~~, other treatments for the medical condition being treated with marijuana. In all cases, accessory uses must remain secondary, individually and in aggregate, to the primary use.
- ~~Medical Marijuana Grow Only Facility.~~ A facility that engages only in the growing and processing of medical marijuana in accordance with state law, but does not dispense marijuana. Processing of medical marijuana may include, but is not limited to, the preparation of tinctures, ointments, and food products containing medical marijuana.

Add the following uses to the Land Use Table 300 Attachment 4, in the "BUSINESS" section of the table, as described:

- "Indoor Medical Marijuana Cultivation Area" – Add as a Conditional Use by inserting a "CU" in CB, CC, CD, IA, MED, PD, PD2, RRES, RPDS, RR, RV zoning district columns
- "Medical Marijuana Testing Facility" – Add as a Conditional Use by inserting a "CU" in IA, PD, CC, CD, MED zoning district columns
- "Medical Marijuana Manufacturing Facility" – Add as a Conditional Use by inserting a "CU" in MED, IA, PD, CC, CD zoning district columns
- "Medical Marijuana Caregiver Retail Store" – Add as a Conditional Use by inserting a "CU" in CB, CC, CD, PD zoning district columns
- "Medical Marijuana Registered Caregiver (Home Occupation)" – Add as a Permitted Use by inserting an X in MED, IA, CB, CC, CD, KBD1, KBD2, KL, PD, PD2, RD, RPDS, RR, RRES, RBV, RV, RA, RB1, RB2, RC, RPDS
- "Medical Marijuana Registered Caregiver" – Add as a Conditional Use by inserting a "CU" in MED, IA, CB, CC, CD, KBD1, KBD2, PD, RD, RPDS, RR, RRES, RBV, RV zoning district columns
- "Registered Dispensary" – Add as a Conditional Use by inserting a "CU" in MED, IA, CC, CD, PD zoning district columns

Include new sections in the Land Use Ordinance as follows:

### §300-533 Medical Marijuana

This section regulates Medical Marijuana Businesses, as defined, uses within the City of Augusta. The permitting standards outlined here shall be adhered to for all medical marijuana businesses, in addition to other applicable standard in this and other ordinances or state law.

- A. Medical Marijuana Businesses shall not locate within 500 feet of Religious Activities, a-state licensed daycare of any size, or Educational Services. Measurement shall be from the exterior wall or fence of the Medical Marijuana Business to the property line of the protected use. This section shall not prohibit the activity of a caregiver or other authorized individual from administering medical marijuana to a qualified patient who is located within one of these protected areas.
- B. Medical Marijuana Businesses shall not have any odor of marijuana detectible beyond the area controlled by the business, whether that be a lease or owned area that is a portion or all of a recorded parcel of land. Odors shall be controlled by whatever best-practices exist.
- C. Any Medical Marijuana Business that is located in a zoning district where it is not a permitted or conditional use shall discontinue operation in that location by June 30, 2022.
- D. See the Home Occupation section of this ordinance for limitations of Medical Marijuana Caregiver (Home Occupations)

### §300-534 Marijuana for Personal Use

All marijuana cultivated for personal use under Title 28-B of the Maine Revised Statutes shall be grown on the property where the user is domiciled.

**19-075 City Manager Tabled from May 16, 2019**

**WHEREAS**, the city finds that regulating and licensing medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the following modifications to the Code of Ordinances are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments to the Code of Ordinances, adding a new licensing section for medical marijuana businesses Ordinance, be made:

See the attached new ordinance.

### **NEW BUSINESS**

#### **PART 1 – ORDERS AND RESOLVES**

**19-086 City Manager**

**BE IT ORDERED**, that the Malt and Vinous Liquor License application by Jessie and Rachel Hardie owners of Wander Pizza Company LLC located at 265 Western Avenue be approved.

**19-087 Councilors Lind and O'Brien**

**WHEREAS**, the Mayor appointed an Ad Hoc Alumni Field Committee to continue the work from the 2011 Alumni Committee's efforts to look at the infrastructure needs of Alumni Field Athletic Complex for the purpose of developing a Capital Improvement Plan recommendation for City Council to consider; and

**WHEREAS**, the Committee met numerous times to assess and evaluate the needs of the Alumni Field Athletic Complex; and

**WHEREAS**, the Committee met with stakeholders, members of other communities, city staff and visited like facilities; and

**WHEREAS**, the Committee has developed a plan to meet the needs of the community associated with the facility and, through community fundraising and other fiscal resources available, will provide the fiscal means for implementing the plan; and

**WHEREAS**, the City Council accepts the recommendations of the Ad Hoc Alumni Field Committee as presented by Chair Councilor Lind to City Council on May 23, 2019; and

**WHEREAS**, the improvements as proposed are consistent with the intent and purpose of the recommended funding sources for completing the work.

**NOW, THEREFORE, BE IT ORDERED**, that the City Council hereby authorizes the City Manager to continue with Alumni Field Athletic Complex improvements and pursue grants and encourage fundraising efforts for artificial turf and other improvements as proposed by the Ad Hoc Alumni Field Committee.

**BE IT FURTHER ORDERED**, that \$139,667.12 is hereby re-appropriated from the Alumni Field Re-Crown CIP for artificial turf and other improvement projects consistent with the recommendations of the Ad Hoc Alumni Field Committee.

**BE IT FURTHER ORDERED**, that \$5,568.54 is hereby re-appropriated from the Alumni Track Equipment CIP for artificial turf and other improvement projects consistent with the recommendations of the Ad Hoc Alumni Field Committee.

**BE IT FURTHER ORDERED**, that the City Manager is hereby authorized the expend \$253,439 from the Elsie Viles Alumni Field Trust for the Alumni Field Athletic Complex artificial turf and other improvements and projects consistent with the recommendations of the Ad Hoc Alumni Field Committee.

**19-088 Councilor Conti**

**WHEREAS**, the city's definition of Specialized Medical Clinic is outdated and needs to be inclusive enough to cover current and future treatment methods for opioid use disorder;

**NOW, THEREFORE BE IT ORDERED**, that the City Council of the city of Augusta requests that the Planning Board hold a public hearing and make a recommendation on eliminating the existing definition and incorporating a new definition for a Specialized Medical Clinic similar to the following:

Specialized Medical Clinic: A facility whose primary function is to treat opioid use disorder through Medication Assisted Treatment or other treatment methods that includes dispensing and/or prescribing any branded or unbranded drug used to treat opioid use disorder, including, but not limited to methadone, buprenorphine, or naltrexone.

NO VOTE REQUIRED

19-089 City Manager

**WHEREAS**, the city finds that regulating medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the Planning Board and City Council held multiple public hearing and heard substantial testimony on the topic; and

**WHEREAS**, the following modifications to the Land Use Ordinance are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments to the Code of Ordinances, Land Use Ordinance:

Add the following definitions in proper alphabetical order to Section 300-202 (Other Definitions):

- Medical Marijuana Businesses. Includes Medical Marijuana Testing Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Registered Caregivers, Medical Marijuana Caregiver Retail Store, Medical Marijuana Registered Caregiver (Home Occupation), and Registered Dispensaries.
- Medical Marijuana Manufacturing Facility. A registered tier 1 or tier 2 manufacturing facility, as designated by state law, or a person authorized to engage in marijuana extraction under 22 MRS §2423-F.
- Registered dispensary. "Registered dispensary" or "dispensary" means an entity registered under 22 MRS §2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.
- Marijuana testing facility. A public or private laboratory that is authorized and accredited in accordance with state law.
- Medical Marijuana Caregiver Retail Store. A location other than the permanent residence of a registered caregiver or a qualifying patient from which a registered caregiver provides marijuana for medical use to a qualifying patient.
- Medical Marijuana Registered Caregiver. A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law. A Medical Marijuana Registered Caregiver may operate in a variety of ways including operating one retail store, in accordance with state law and the standards of this ordinance.
- Medical Marijuana Registered Caregiver (Home Occupation). A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law and in accordance with the Home Occupation standards of this ordinance. This use shall be delivery-only, with no visits to the Caregiver's home by patients.

Alter and delete the following definitions to Section 300-202 (Other Definitions):

- Specialized Medical Clinic. A facility that dispenses methadone or medical marijuana to patients. A medical marijuana dispensary may also grow and process the product at the same facility. Typical accessory uses for a medical marijuana dispensary or grow facility may include, but are not limited to, counseling services associated with the medical conditions being treated with medical marijuana, processing and cooking facilities for preparing the marijuana, other treatments for the medical condition being treated with marijuana. In all cases, accessory uses must remain secondary, individually and in aggregate, to the primary use.
- ~~Medical Marijuana Grow-Only Facility. A facility that engages only in the growing and processing of medical marijuana in accordance with state law, but does not dispense marijuana. Processing of medical marijuana may include, but is not limited to, the preparation of tinctures, ointments, and food products containing medical marijuana.~~

Add the following uses to the Land Use Table 300 Attachment 4, in the “BUSINESS” section of the table, as described:

- “Medical Marijuana Testing Facility” – Add as a Conditional Use by inserting a “CU” in IA, PD, CC, CD, MED zoning district columns
- “Medical Marijuana Manufacturing Facility” – Add as a Conditional Use by inserting a “CU” in MED, IA, PD, CC, CD zoning district columns
- “Medical Marijuana Caregiver Retail Store” – Add as a Conditional Use by inserting a “CU” in CB, CC, CD, PD zoning district columns
- “Medical Marijuana Registered Caregiver (Home Occupation)” – Add as a Permitted Use by inserting an X in MED, IA, CB, CC, CD, KBD1, KBD2, KL, PD, PD2, RD, RPDS, RR, RRES, RBV, RV, RA, RB1, RB2, RC, RPDS
- “Medical Marijuana Registered Caregiver” – Add as a Conditional Use by inserting a “CU” in MED, IA, CB, CC, CD, KBD1, KBD2, PD, RD, RPDS, RR, RRES, RBV, RV zoning district columns
- “Registered Dispensary” – Add as a Conditional Use by inserting a “CU” in MED, IA, CC, CD, PD zoning district columns

Include new sections in the Land Use Ordinance as follows:

### §300-533 Medical Marijuana

This section regulates Medical Marijuana Businesses, as defined, uses within the City of Augusta. The permitting standards outlined here shall be adhered to for all medical marijuana businesses, in addition to other applicable standard in this and other ordinances or state law.

- E. Medical Marijuana Businesses shall not locate within 500 feet of Religious Activities, a-state licensed daycare of any size, or Educational Services. Measurement shall be from the exterior wall or fence of the Medical Marijuana Business to the property line of the protected use. This section shall not prohibit the activity of a caregiver or other authorized individual from administering medical marijuana to a qualified patient who is located within one of these protected areas.
- F. Medical Marijuana Businesses shall not have any odor of marijuana detectible beyond the area controlled by the business, whether that be a lease or owned area that is a portion or all of a recorded parcel of land. Odors shall be controlled by whatever best-practices exist.



- G. Any Medical Marijuana Business that is located in a zoning district where it is not a permitted or conditional use shall discontinue operation in that location by June 30, 2022.
- H. Medical Marijuana grown by any Medical Marijuana Business shall be grown indoors only.
- I. Medical Marijuana Registered Caregiver and Medical Marijuana Registered Caregiver (Home Occupation) may grow, process, and manufacture medical marijuana products at the registered caregiver's permanent residence in accordance with state law and their local license.
- J. Medical Marijuana Registered Caregiver (Home Occupation) shall meet all license requirements for a home occupation and the additional license requirements for a Medical Marijuana Registered Caregiver (Home Occupation). This use shall be a delivery only operation, with no customers coming to the site for any purpose. All in-person caregiver operations shall be done at the patient's home or other legal site. See the Home Occupation section of this ordinance for limitations of Medical Marijuana Caregiver (Home Occupations)

#### §300-534 Marijuana for Personal Use

All marijuana cultivated for personal use under Title 28-B of the Maine Revised Statutes shall be grown on the property where the user is domiciled.

#### **19-090 City Manager**

**WHEREAS**, the city finds that regulating and licensing medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the following modifications to the Code of Ordinances are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments to the Code of Ordinances, adding a new licensing section for medical marijuana businesses Ordinance, be made:

See the attached new ordinance.

#### **COMMUNICATIONS**

Committee Reports  
City Manager's Report

Respectfully submitted,  
Roberta L. Fogg, City Clerk  
June 3, 2019

**NOTICE OF PUBLIC HEARING  
CITY CLERK'S OFFICE  
AUGUSTA, MAINE**

The Municipal Officers will hold a public hearing on the application by Jesse and Rachel Hardie owner of Wander Pizza Company LLC located at 265 Western Avenue for a Malt and Vinous Liquor License on Thursday, June 6, 2019 at 7:00 p.m., Council Chambers, City Center.

This hearing is in compliance with Section 653 of Title 28-A of the Revised Statutes of Maine, as amended.

Attest: Roberta L. Fogg  
City Clerk

Publish, Classified - Legal:  
Kennebec Journal – May 29<sup>th</sup>, May 30<sup>th</sup> and May 31<sup>st</sup>, 2019

# *Memorandum*

**To:** Roberta L. Fogg, City Clerk

**From:** Chief Jared J. Mills

**Date:** May 24, 2019

**Re:** Wander Pizza Company LLC

I have reviewed the liquor license application and have no issues with the issuance of a license.

**BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS**  
**DIVISION OF LIQUOR LICENSING AND ENFORCEMENT**  
**8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)**  
**10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)**  
**TEL: (207) 624-7220 FAX: (207) 287-3434**  
**EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV**

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

**PRESENT LICENSE EXPIRES:** new

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_

Requested inspection (New Licensees/ Ownership Changes Only) Date: 6-25-19 Business hours: TBD

**INDICATE TYPE OF PRIVILEGE:** ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

**INDICATE TYPE OF LICENSE:**

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)  
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)  
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING  
☐ OTHER: \_\_\_\_\_ ☐ SELF-SPONSORED EVENTS

(QUALIFIED CATERERS ONLY)

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>Corporation Name:</b> Wander Pizza Company LLC			<b>Business Name (D/B/A)</b> Wander Pizza Co.		
<b>APPLICANT(S) –(Sole Proprietor)</b> Jesse Hardie			<b>Physical Location:</b> 265 Western Avenue		
<b>DOB:</b> 9-12-83			<b>City/Town</b> Augusta		
<b>DOB:</b> 5-8-87			<b>State</b> Maine		
<b>Address</b> 10 Clinton St.			<b>Zip Code</b> 04330		
<b>City/Town</b> Gardiner			<b>Mailing Address</b> Same As Above? <input checked="" type="checkbox"/>		
<b>State</b> Maine			<b>City/Town</b> Gardiner		
<b>Zip Code</b> 04345			<b>State</b> Maine		
<b>Telephone Number</b> 678-438-0295			<b>Zip Code</b> 04345		
<b>Fax Number</b> 678-438-0295			<b>Business Telephone Number</b> 678-438-0295		
<b>Fax Number</b> 678-438-0295			<b>Fax Number</b> 678-438-0295		
<b>Federal I.D. #</b> 83-4231113			<b>Seller Certificate #</b> 83-4231113		
<b>Email Address:</b> jesse@wanderpizza.com			<b>Website:</b> wanderpizza.com		

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_

2. State amount of gross income from period of last license:

ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License #

Name of Business

Physical Location

City / Town

6. If manager is to be employed, give name: \_\_\_\_\_

7. Business records are located at: 265 Western Avenue. Augusta, Maine

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Jesse Hardie	9-12-1983	Naples, Florida
Rachel Hardie	5-8-1987	Dover, NH
11. Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Name: Jesse Hardie	City: Gardiner	State: Maine
Name: Rachel Hardie	City: Gardiner	State: Maine
Name:	City:	State:

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: Jesse Hardie Date of Conviction: 3-10-2007

Offense: OUI Location: Georgia

Disposition: \_\_\_\_\_ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

14. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

15. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Spenser Ouellette

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) 1500sqft restaurant to be used for pizza sales and on premise beer and wine.

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☒ Applied for: 5-8-2019

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1.2 mile

Which of the above is nearest? Church

19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

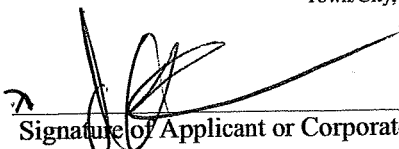
If YES, give details: Bank loan from Camden National

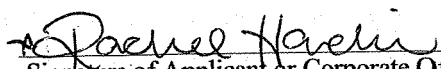
The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Augusta, Maine on May 8th, 20 19  
Town/City, State Date

**PLEASE SIGN IN BLUE INK**

  
Signature of Applicant or Corporate Officer(s)  
Jesse Hardie  
Print Name

  
Signature of Applicant or Corporate Officer(s)  
Rachel Hardie  
Print Name

**FEE SCHEDULE**

<b>FILING FEE: (must be included on all applications)</b>	<b>\$ 10.00</b>
<b>Class I</b> Spirituous, Vinous and Malt	<b>\$ 900.00</b>
<b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB	
<b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only)	<b>\$1,100.00</b>
<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b> Spirituous Only	<b>\$ 550.00</b>
<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b> Vinous Only	<b>\$ 220.00</b>
<b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b> Malt Liquor Only	<b>\$ 220.00</b>
<b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
<b>Class III &amp; IV</b> Malt & Vinous Only	<b>\$ 440.00</b>
<b>CLASS III &amp; IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	<b>\$ 495.00</b>
<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge	<b>\$2,200.00</b>
<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge	<b>\$1,500.00</b>
<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	
<b>SELF-SPONSORED EVENTS: Qualified Caterers Only</b>	<b>\$ 700.00</b>

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:  
Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, ME 04333-0008 (Regular address)  
10 Water Street, Hallowell, ME 04347 (Overnight address)  
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

**TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:**

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: Augusta, Maine Kennebec  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being: ☒ Municipal Officers ☐ County Commissioners of the  
☒ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: Augusta, Maine

**THIS APPROVAL EXPIRES IN 60 DAYS**

**NOTICE – SPECIAL ATTENTION**

**§653. Hearings; bureau review; appeal**

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

Jm 5/24/19 -OK  
JH 5/24/19 -OK

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD).]

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD).]

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]

[1995, c. 140, §6 (AMD).]

**4. No license to person who moved to obtain a license.** [1987, c. 342, §32 (RP).]

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]



*Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing & Enforcement  
8 State House Station, Augusta, ME 04333-0008  
10 Water Street, Hallowell, ME 04347 (overnight)  
Tel: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)*

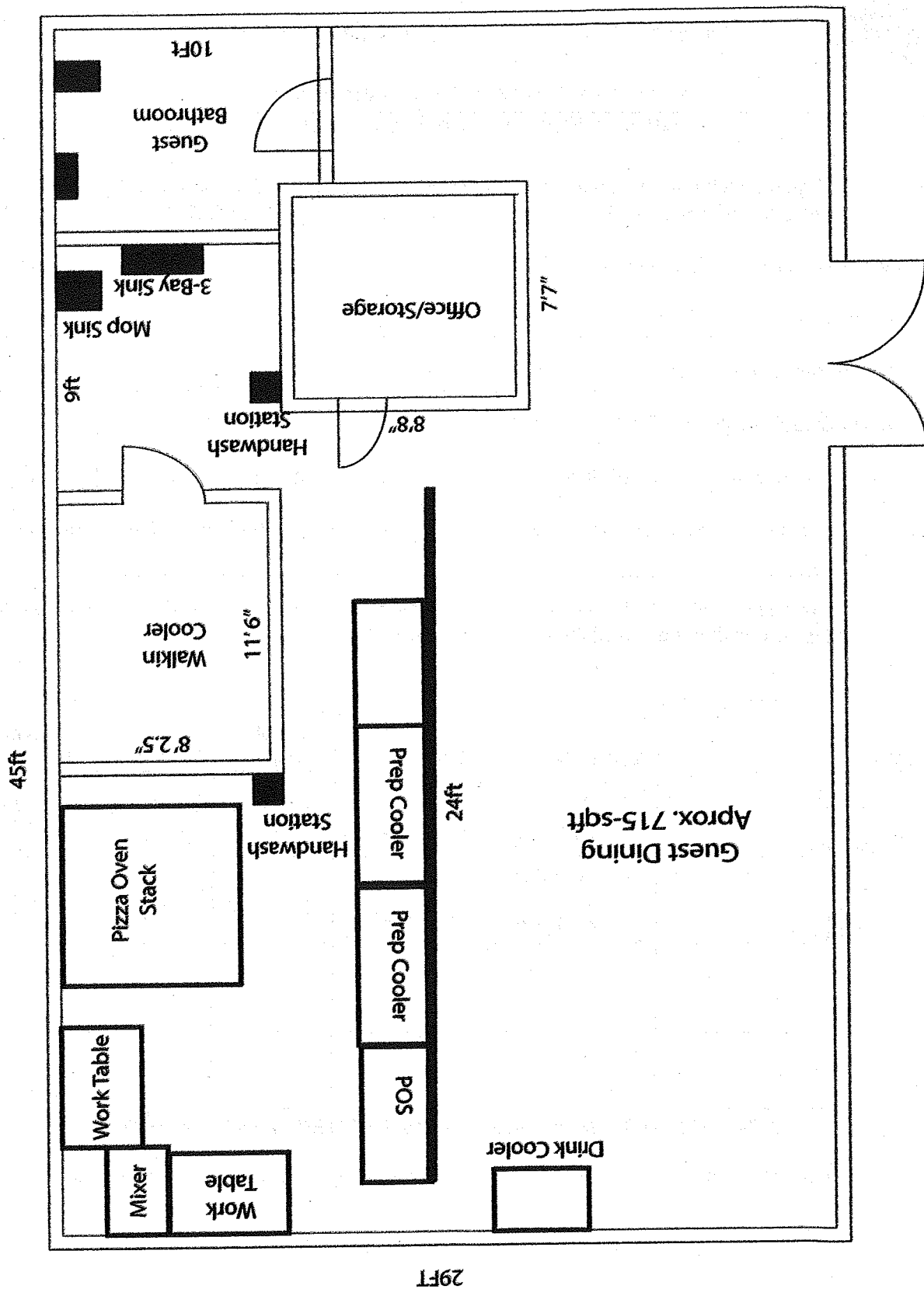


**ON PREMISE DIAGRAM**  
**(Facility Drawing/ Floor Plan)**

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • **Entrances** • **Office area** • **Kitchen** • **Storage Areas** • **Dining Rooms** • **Lounges** • **Function Rooms** • **Restrooms** • **Decks** • **All Inside and Outside areas that you are requesting approval.**

SEE ATTACHED





Division of Alcoholic Beverages and Lottery  
Operations  
Division of Liquor Licensing and Enforcement

**Corporate Information Required for  
Business Entities Who Are Licensees**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: WANDER PIZZA COMPANY LLC
2. Doing Business As, if any: WANDER PIZZA CO.
3. Legal Entity's FEIN #: 03-421113
4. Date of filing with Secretary of State: 04/09 State in which you are formed: MAINE
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Rachel Hardie	10 Clinton St Gardiner, ME 04345	5/8/87	co-owner	50%
Jesse Hardie	10 Clinton St Gardiner, ME 04345	9/12/83	co-owner	50%

(Stock ownership in non-publicly traded companies must add up to 100%.)

7. If Co-Op # of members: \_\_\_\_\_ (list primary officers in the above boxes)

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☒ Yes ☐ No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: Jesse Hardie

Date of Conviction: 27 MARCH, 2007

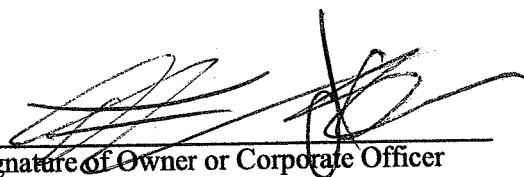
Offense: OVI

Location of Conviction: Georgia

Disposition: Payed court ordered fees

Signature:

PLEASE SIGN IN BLUE INK

  
Signature of Owner or Corporate Officer

5-22-19  
Date

Jesse Hardie  
Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages  
Division of Liquor Licensing and Enforcement  
8 State House Station, Augusta, Me 04333-0008 (Regular address)  
10 Water Street, Hallowell, ME 04347 (Overnight address)  
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

**CITY OF AUGUSTA  
MINUTES FOR THE CITY COUNCIL BUSINESS MEETING  
COUNCIL CHAMBERS CITY HALL  
THURSDAY, MAY 16, 2019  
7:00 P.M.**

There was a pre-meeting of the City Council in Conference Room A at 6:30 p.m. No Council actions were taken at pre-meetings. Pre-meetings are open to the public.

**Present:** Mayor Rollins, Councilors Conti, Judkins, Elliott, Lind, O'Brien, Day and Alexander.

**Absent:** Councilor Wilson.

**PROCLAMATION:** Veteran Suicide Awareness

**PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:**

**CONSENT AGENDA:**

**19-068 City Manager (Bureau of City Clerk)**

**BE IT ORDERED,** that the minutes of the City Council Regular Business Meeting held May 2, 2019, submitted by the City Clerk's office be approved.

**19-069 Mayor**

**BE IT ORDERED,** that Amanda Frost is hereby reappointed to the Augusta Housing Authority Board of Commissioners, said term to expire May 16, 2024.

**19-070 City Manager**

**BE IT ORDERED,** that the City Council hereby accept, on behalf of the family of the late Governor John Fremont Hill, a donation in the amount of Fifteen Thousand Dollars (\$15,000.00) for the purpose of performing necessary improvements and maintenance at Forest Grove Cemetery. Said funds will be held in a dedicated Forest Grove Cemetery account until such time all funds have been expended.

**19-071 Mayor and Council**

**BE IT ORDERED,** that the City Manager is hereby authorized to contract with the City's designated realtor, REMAX Realty, to list the home, garage and property at 11 Boulder Ave (Tax Map 11, Lot 45D) for \$99,900.

**19-072 City Manager**

**BE IT ORDERED,** that the City Manager is hereby authorized to accept grant funding in the amount not to exceed \$7,500.00 from Dirigo Safety, LLC for the purpose of administering the enforcement of underage drinking laws on behalf of the Maine Center for Disease Control and Prevention, Tobacco and Substance Use Prevention and Control Program. The EUDL Program's purpose is to reduce underage drinking and alcohol-related unintentional injuries and car crashes in Maine. There is no local match requirement in order to accept this grant funding.

Motion for passage of the Consent Agenda orders 19-068 to 19-072.

By: Alexander Second by: Lind

Yeas: 7

Nays: 0

**NEW BUSINESS**                      **PART 2 –ORDINANCES - FIRST READING**  
**NO VOTE REQUIRED**

**19-073              Councilors Elliott and Wilson**

**WHEREAS**, providing additional opportunity for parking is important in densely developed areas; and

**WHEREAS**, the Planning Board held a public hearing and voted unanimously to recommend modifications to the Land Use Ordinance;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments shown in underlined font be added to the Code of Ordinances, Land Use Ordinance:

Motion to suspend further reading of order 19-073.

By: O'Brien                      Second by: Lind

Yeas: 7

Nays: 0

§ 300-513.B.

(d) Exceptions to on-site parking. All off-street parking shall be located on the same lot as the principal structure or use to be served except:

[1] As permitted by the Planning Board;

[2] Uses located in the Kennebec District 1 Zone in existence prior to the effective date of this chapter; Requests for off-site parking in Subsection B(1)(d)[1] and [2] above must meet the following requirement: If not owned in fee by the applicant, the use of the land shall be legally bound to serve as a parking lot for the life of the building or use that is being permitted to serve.

[3] As permitted by the Planning Board, places of worship located in the BP and RC District, provided that the minimum number of spaces required for a development proposal by said places of worship shall be available on a public street within 1,000 feet of the place of worship.

[4] As a conditional use, and as permitted by the Planning Board, properties which have inadequate land on-site to meet parking requirements may, on a separate lot provide for up to six (6) parking spaces as a primary use. If not owned in fee by the applicant, the use of the land for parking shall be legally bound to serve as a parking lot for the life of the building or use that it is being permitted to serve. This subsection shall not be apply in any locally designated historic district.

**19-074              City Manager**

**WHEREAS**, the city finds that regulating medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the Planning Board and City Council held multiple public hearing and heard substantial testimony on the topic; and

**WHEREAS**, the following modifications to the Land Use Ordinance are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments be adopted to the Code of Ordinances, Land Use Ordinance:

Motion to suspend further reading of order 19-074.

By: O'Brien                      Second by: Elliott

Yeas: 7

Nays: 0

Add the following definitions in proper alphabetical order to Section 300-202 (Other Definitions):

- Medical Marijuana Businesses. Includes Indoor Medical Marijuana Cultivation Area, Outdoor Medical Marijuana Cultivation Area, Medical Marijuana Testing Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Registered Caregivers, Medical Marijuana Caregiver Retail Store, Medical Marijuana Registered Caregiver (Home Occupation), and Registered Dispensaries.
- Indoor Medical Marijuana Cultivation Area. An indoor area used for medical marijuana cultivation in accordance with state law that is enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area under state law.
- Outdoor Medical Marijuana Cultivation Area. An outdoor area used for medical marijuana cultivation in accordance with state law that is enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area under state law.
- Medical Marijuana Manufacturing Facility. A registered tier 1 or tier 2 manufacturing facility, as designated by state law, or a person authorized to engage in marijuana extraction under 22 MRS §2423-F.
- Registered dispensary. "Registered dispensary" or "dispensary" means an entity registered under 22 MRS §2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.
- Marijuana testing facility. A public or private laboratory that is authorized and accredited in accordance with state law.
- Medical Marijuana Caregiver Retail Store. A location other than the permanent residence of a registered caregiver or a qualifying patient from which a registered caregiver provides marijuana for medical use to a qualifying patient.
- Medical Marijuana Registered Caregiver. A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law. A Medical Marijuana Registered Caregiver may operate in a variety of ways including operating one retail store, in accordance with state law and the standards of this ordinance.
- Medical Marijuana Registered Caregiver (Home Occupation). A person or an assistant of that person that provides care for a qualifying patient in accordance with state law and licensing and is registered with the state in accordance with state law and in accordance with the Home Occupation standards of this ordinance. This use shall be delivery-only, with no visits to the Caregiver's home by patients.

Alter and delete the following definitions to Section 300-202 (Other Definitions):

- ~~Specialized Medical Clinic. A facility that dispenses methadone or medical marijuana to patients. A medical marijuana dispensary may also grow and process the product at the same facility. Typical accessory uses for a medical marijuana dispensary or grow facility may include, but are not limited to, counseling services associated with the medical conditions being treated with medical marijuana, processing and cooking facilities for preparing the marijuana, other treatments for the medical condition being treated with marijuana. In all cases, accessory uses must remain secondary, individually and in aggregate, to the primary use.~~
- ~~Medical Marijuana Grow-Only Facility. A facility that engages only in the growing and processing of medical marijuana in accordance with state law, but does not dispense marijuana. Processing of medical marijuana may include, but is not limited to, the preparation of tinctures, ointments, and food products containing medical marijuana.~~

Add the following uses to the Land Use Table 300 Attachment 4, in the “BUSINESS” section of the table, as described:

- “Indoor Medical Marijuana Cultivation Area” – Add as a Conditional Use by inserting a “CU” in CB, CC, CD, IA, MED, PD, PD2, RRES, RPDS, RR, RV zoning district columns
- “Medical Marijuana Testing Facility” – Add as a Conditional Use by inserting a “CU” in IA, PD, CC, CD, MED zoning district columns
- “Medical Marijuana Manufacturing Facility” – Add as a Conditional Use by inserting a “CU” in MED, IA, PD, CC, CD zoning district columns
- “Medical Marijuana Caregiver Retail Store” – Add as a Conditional Use by inserting a “CU” in CB, CC, CD, PD zoning district columns
- “Medical Marijuana Registered Caregiver (Home Occupation)” – Add as a Permitted Use by inserting an X in MED, IA, CB, CC, CD, KBD1, KBD2, KL, PD, PD2, RD, RPDS, RR, RRES, RBV, RV, RA, RB1, RB2, RC, RPDS
- “Medical Marijuana Registered Caregiver” – Add as a Conditional Use by inserting a “CU” in MED, IA, CB, CC, CD, KBD1, KBD2, PD, RD, RPDS, RR, RRES, RBV, RV zoning district columns
- “Registered Dispensary” – Add as a Conditional Use by inserting a “CU” in MED, IA, CC, CD, PD zoning district columns

Include new sections in the Land Use Ordinance as follows:

### §300-533 Medical Marijuana

This section regulates Medical Marijuana Businesses, as defined, uses within the City of Augusta. The permitting standards outlined here shall be adhered to for all medical marijuana businesses, in addition to other applicable standard in this and other ordinances or state law.

- A. Medical Marijuana Businesses shall not locate within 500 feet of Religious Activities, a-state licensed daycare of any size, or Educational Services. Measurement shall be from the exterior wall or fence of the Medical Marijuana Business to the property line of the protected use. This section shall not prohibit the activity of a caregiver or other authorized individual from administering medical marijuana to a qualified patient who is located within one of these protected areas.



- B. Medical Marijuana Businesses shall not have any odor of marijuana detectible beyond the area controlled by the business, whether that be a lease or owned area that is a portion or all of a recorded parcel of land. Odors shall be controlled by whatever best-practices exist.
- C. Any Medical Marijuana Business that is located in a zoning district where it is not a permitted or conditional use shall discontinue operation in that location by June 30, 2022.
- D. See the Home Occupation section of this ordinance for limitations of Medical Marijuana Caregiver (Home Occupations)

#### §300-534 Marijuana for Personal Use

All marijuana cultivated for personal use under Title 28-B of the Maine Revised Statutes shall be grown on the property where the user is domiciled.

Motion to table the first reading of order 19-074 to the June 6, 2019 business meeting.

By: O'Brien                      Second by: Elliott

Yeas: 7

Nays: 0

#### **19-075              City Manager**

**WHEREAS**, the city finds that regulating and licensing medical marijuana businesses is in the best interest of the public; and

**WHEREAS**, the following modifications to the Code of Ordinances are necessary to ensure careful management of a new industry in the city;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Augusta, Maine, that the following amendments to the Code of Ordinances, adding a new licensing section for medical marijuana businesses Ordinance, be made:

See the attached new ordinance, below:

Motion to suspend further reading of order 19-075.

By: O'Brien                      Second by: Day

Yeas: 7

Nays: 0

### **CITY OF AUGUSTA MEDICAL MARIJUANA BUSINESS LICENSING ORDINANCE**

Part 8, Article XI of the City of Augusta Code of Ordinances is hereby amended to add the following language, which shall be known and referred to as the Medical Marijuana Business Licensing Ordinance:

#### **Part 8   Medical Marijuana Businesses**

#### **Article XI   Licensing**

#### **§ 190-99 100 Medical Marijuana Businesses**

## **A. Purpose and Authority**

This Ordinance is enacted pursuant to authority granted under 30-A M.R.S. § 3001 and 22 M.R.S. § 2429-D. The purpose of this Ordinance is to set forth procedures and standards for the issuance of local licenses for Marijuana Businesses in order to protect public health, safety and welfare.

## **B. Definitions**

As used in this Ordinance, the terms below shall be defined as indicated. All other terms used in this Ordinance, if not defined below, shall have the same definition as set forth in Section 300-202 of the City Code.

Applicant shall mean a person who has submitted an application for licensure as a Medical Marijuana Business pursuant to this Article.

Licensed Premises shall mean the premises specified in an application for a license pursuant to this Ordinance or within a license issued pursuant to this Ordinance.

Licensee shall mean a person licensed pursuant to this Article.

Local Licensing Authority shall mean the City Clerk or, if referral to the City Council is required pursuant to this Ordinance, the City Council.

Medical Marijuana Business shall include Indoor Medical Marijuana Cultivation Area, Outdoor Medical Marijuana Cultivation Area, Medical Marijuana Testing Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Retail Store, Medical Marijuana Registered Caregiver (home occupation), or Registered Dispensary.

Owner shall mean a person whose beneficial interest in a Medical Marijuana Business is such that the person bears risk of loss other than as an insurer, has an opportunity to gain profit from the operation or sale of the Medical Marijuana Business and/or has a controlling interest in the Medical Marijuana Business.

Person shall mean a natural person, partnership, association, company, corporation, limited liability company or organization, or a manager, agent, owner, director, servant, officer or employee thereof. "Person" does not include any governmental organization.

Premises shall mean the physical location at which a Medical Marijuana Business is to conduct its business.

State License shall mean any license issued by the State Licensing Authority.

State Licensing Authority shall mean the authority created or designated by the State for the purpose of regulating and controlling licensing for Medical Marijuana Businesses.

## **C. License Requirement**

Effective October 1, 2019, a Medical Marijuana Business shall not begin or continue operations unless it has received and is in possession of a license issued pursuant to this Ordinance. No business other than a Medical Marijuana Registered Caregiver (home occupation) shall be permitted to operate in the City of Augusta prior to October 1, 2019.

## **D. Licensing Procedures**

- (1) All license applications shall be submitted to the City Clerk in writing using a form prepared by the City for the purpose and must include all information required by this Ordinance and by the form.
- (2) Prior to action on a license application, the Clerk shall give public notice of the application by having a sign posted in a conspicuous place on the Premises listed on the license application at least seven (7) days prior to action, and by publication in a newspaper of general circulation in the city of Augusta, as well as on the City's website, at least seven (7) days prior to action.
- (3) The City Clerk shall be responsible for the initial investigation of the application to ensure compliance with the requirements of this Article and to obtain recommendations from other City officials as required.
- (4) No license shall be granted by the City Council until the Police Chief, Fire Chief, Health Inspector and Code Enforcement Officer have all indicated no objections regarding the Applicant's ability to comply with this Ordinance or any other applicable City ordinance or state or federal law enforced by such officials. The City Clerk shall provide a copy of the license application to each official along with a form upon which the official shall note his or her findings and conclusions, as well as any recommended conditions of approval.
- (5) The City Council may include any conditions of approval recommended by reviewing officials, as well as any other reasonable conditions deemed in the Council's discretion to be warranted, on the issued license. Failure of any Licensee to comply with such conditions shall be considered a violation of the license and of this Ordinance.
- (6) Licenses shall be approved only for the type(s) of Medical Marijuana Business(es) identified in the application. A Licensee who intends to expand or convert the licensed Premises to a type of Medical Marijuana Business that is not specifically approved in a license must obtain a new license for that use.
- (7) Any City official with authority to make recommendations under or enforce this or other municipal ordinances regarding Medical Marijuana Businesses shall have authority to enter the premises of an Applicant or Licensee without notice to make any inspection reasonably necessary to ensure compliance. This inspection authority shall not apply to the City Clerk or City Council.
- (8) For renewal licenses, the application and review process shall be the same as for initial licenses, except that the City Clerk shall serve as the licensing authority unless any reviewing official recommends that existing conditions be added to or changed, or that the application be denied, in which case the application will be forwarded to the City Council for final action.
- (9) An applicant wishing to appeal a denial or issuance of a renewal license by the City Clerk may do so in accordance with Section 190-6 of the City Code. An applicant wishing to appeal a denial or issuance of a new or renewal license by the City Council may do so by filing an appeal in Superior Court.

## **F. Application Submission Requirements**

Each applicant for a Medical Marijuana Business license shall complete and file an application on the form provided by the City Clerk, together with the applicable license fee as set forth in the schedule of fees approved by the City Council. If multiple types of Marijuana Businesses are to be conducted on a single Premises, the

applicant shall pay the application fee for each type of business. The following supporting materials shall also be provided with the application:

- (1) A copy of the Applicant's State License application and supporting documentation, as submitted to the State Licensing Authority.
- (2) Evidence of all State approvals or conditional approvals required to operate a Medical Marijuana Business, including, but not limited to, a State License as defined by this Ordinance, a State retail certificate, or a State health license.
- (3) If not included in the Applicant's State License application, attested copies any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the Medical Marijuana Business.
- (4) If not included in the Applicant's State License application, an affidavit that identifies all owners, officers, members, managers or partners of the Applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each Applicant and for each officer, owner, member, manager or partner of the Applicant seeking a license allowing the City of Augusta or its officials to obtain criminal records and other background information related to the individual.
- (6) Evidence of all land use approvals or conditional land use approvals required to operate the Medical Marijuana Business, including, but not limited to building permit, conditional use approval, change of use permit and/or certificate of occupancy.
- (7) Evidence of all other local approvals or conditional approvals required to operate the Medical Marijuana Business, including any applicable food or Victualers license. Section 190-99 of the City Code (the "Food Sovereignty Ordinance") does not apply to Medical Marijuana Businesses.
- (8) A description of the premises for which the license is sought, including a plan of the premises.
- (9) Certification from a licensed Master Electrician indicating the electrical system of the Premises is adequate for the use being proposed. That use shall be clearly outlined in detail so that the Master Electrician's certification is easy to understand.
- (10) If the City Clerk determines that a submitted application is not complete, he or she shall notify the applicant within ten (10) business days of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the Clerk's request, the application may be denied.

#### **G. License Term and Renewal; Limit on Medical Marijuana Retail Stores**

- (1) Each license issued under this Ordinance shall be valid for the term of license granted by the State License Authority, if a state license is required. If no state license is required, the license shall be valid for two years from the date of issuance ("the license term"). Applications for renewal licenses shall be submitted at least 60 days prior to expiration of the existing term. Any Licensee who fails to submit a renewal application by the

applicable deadline shall not have authority to operate until a license is granted. A late fee shall apply as set forth in the Master Schedule of Revenues, Charges, Fees and Fines.

(2) There shall be no more than fifteen (15) active licenses for Medical Marijuana Caregiver Retail Stores and no more than five (5) active licenses for Registered Dispensaries at any given time. Applications shall be assigned priority according to the date and time an application meeting the submission requirements of this Ordinance was received by the City Clerk. Once the numerical limit of licenses for a license category has been reached, additional applications will be held on a waiting list and processed according to their respective priority as licenses become available. If a Licensee fails to timely submit a renewal license application by the deadline set forth in subsection (1), the prior license shall become available to those on the waiting list upon its expiration date. If a license for the business category becomes available, the City Clerk shall notify the first applicant on the waiting list and that applicant shall have ten (10) business days to provide the applicable application fee and any updated information to the City Clerk. If the application fee is not timely provided the City Clerk shall process the next application on the list.

## **H. Denial, Suspension or Revocation of a License**

In reviewing license applications, the Licensing Authority and any consulting City officials may consider the approval standards under this Ordinance as well as other applicable local, state or federal laws and, for license renewals, the Licensee's record of compliance with the same.

A license application for a Medical Marijuana Business shall be denied by the licensing authority (City Clerk or City Council), and an existing license may be suspended or revoked by the City Council, after notice and hearing, if the applicant, or any Owner of the applicant or Licensee:

- i. Fails to meet the requirements of this Ordinance or of any condition attached to the license.
- ii. Is not at least twenty-one years of age.
- iii. Is not a resident of the State of Maine.
- iv. Has had a license for a Medical Marijuana Business or adult use "marijuana establishment" as defined by 28-B M.R.S. § 102(29) revoked by the City or by the State.
- v. Has not acquired all necessary state and local approvals prior to issuance of the license.
- vi. Has been convicted of a criminal violation arising out of operation of a Medical Marijuana Business or of any adult use "marijuana establishment" as defined by 28-B M.R.S. § 102(29).
- vii. Has provided false or misleading application in connection with the license application.

## **I. Approval and Operating Requirements**

In order to obtain a license pursuant to this Ordinance, the Licensee shall demonstrate to the City Clerk and all reviewing officials that the following requirements will be met. The Licensee shall comply with all of these requirements during the term of the license:

(1) Display of License. The current License shall be displayed at all times in a conspicuous location within the Premises.

(2) All licensed Premises shall be fixed, permanent locations. Licensees shall not be permitted to operate Medical Marijuana Businesses in other than the licensed Premises, such as at farmer's markets, farm stands or kiosks.

(3) Safety and Security.

(a) The licensed Premises shall have lockable doors and windows and shall be served by an alarm system which includes automatic notification to the City of Augusta Police Department.

(b) The licensed Premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

(c) The licensed Premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).

(d) Registered Caregiver (home occupation) uses shall not be required to meet paragraphs (b) and (c).

(4) Ventilation

(a) The licensed Premises shall comply with all odor and air pollution standards established by ordinance.

(b) All Medical Marijuana Businesses shall have an odor mitigation system installed that is sufficient to ensure that no odor of marijuana is detectible beyond the area controlled by the business, whether that be a lease or owned area that is a portion or all of a recorded parcel of land. The Code Enforcement Officer may request certification by a Maine licensed engineer that the odor control system is sufficient for these purposes.

(5) Loitering

The Licensee and all agents or employees shall make adequate provisions to prevent patrons or other persons from loitering on the Premises. It shall be the Licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed Premises is ordered to leave.

(6) A Medical Marijuana Business shall meet all operating and other requirements of state and local law. To the extent the State of Maine has adopted or adopts in the future any law or regulation governing Medical Marijuana Businesses that conflicts in any way with the provisions of this Ordinance, the more restrictive shall control.

**J. Transfer of Ownership or Change of Location**

Licensees issued under this Ordinance are not transferable to a new owner. Any change in ownership shall require a new license. Licenses are limited to the location for which they are issued and shall not be

transferable to a different location. A Licensee who seeks to operate in a new location shall acquire a new license for that location.

## **K. Violations and Penalties**

Any Medical Marijuana Business which is found to be operating without a valid license in accordance with this Ordinance, or which is found to have violated the approval and operating requirements set forth in Section I of this Ordinance shall be found to have committed a civil violation. For failure to obtain or maintain a valid license, the penalty shall start at twice the applicable license fee and shall be increased by \$10 for each day of the violation. For failure to meet any other requirements of this Ordinance or any condition of the license, the penalty shall be \$100 for each day of the violation.

## **L. Appeals**

Appeals of the granting or denial of a license under this Ordinance shall be appealable to the Kennebec County Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure. There shall be no appeal of other decisions made or orders issued in the enforcement or administration of this Ordinance.

## **M. Severability**

The provisions of this Ordinance are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

## **N. Other Laws**

Except as otherwise specifically provided herein, this Ordinance incorporates the requirements and procedures set forth in the Maine Medical Use of Marijuana Act, 28-B M.R.S. Chapter 1, as may be amended. In the event of a conflict between the provisions of this Ordinance and the provisions of said Act or any other applicable state or local law or regulation, the more restrictive provision shall control.

## **APPENDIX A**

### **MARIJUANA BUSINESS LICENSING ORDINANCE**

#### **SCHEDULE OF REVENUES, CHARGES, FEES AND FINES**

Medical Marijuana Cultivation Facility	\$ 600.00
Medical Marijuana Manufacturing Facility	\$ 600.00
Medical Marijuana Retail Store	\$ 1,400.00
Medical Marijuana Testing Facility	\$ 300.00
Medical Marijuana Caregiver (home occupation)	\$ 200.00
Late fee will be an additional 10% of the total license fee for 1 to 30 days past the due date, and an additional 10% for every 30 days thereafter the license remains late	

Motion to table the first reading of order 19-075 to the June 6, 2019 business meeting.

By: O'Brien                      Second by: Elliott

Yeas: 7

Nays: 0

## **COMMUNICATIONS**

Committee Reports

City Manager's Report

Motion to adjourn at 7:45p.m.

By: Conti                      Second by: Lind

Yeas: 7

Nays: 0

Respectfully submitted,

Roberta L. Fogg, City Clerk

May 28, 2019



**CITY OF AUGUSTA**  
**MINUTES FOR THE CITY COUNCIL SPECIAL BUSINESS MEETING**  
**COUNCIL CHAMBERS CITY HALL**  
**THURSDAY, May 30, 2019**  
**6:30 P.M.**

There was a pre-meeting of the City Council in Conference Room A at 6:30 p.m. No Council actions were taken at pre-meetings. Pre-meetings are open to the public.

**Present:** Mayor Rollins, Councilors Conti, Judkins, Elliott, Lind, O'Brien, Day, Wilson and Alexander.

**PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:**

**NEW BUSINESS:**

**PART I – ORDERS AND RESOLVES**

**19-076 Mayor and Council**

**BE IT RESOLVED**, that there is hereby appropriated for the support of the departments of the City of Augusta, for payment of County Taxes, for the bonded indebtedness of the City, and for all the other debts incurred by the City for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the sum of \$65,187,088 of which a summary appears below.

**BE IT FURTHER RESOLVED**, that the amount to be raised from current real and personal taxes considering estimated departmental revenues, fund balance, and other sources of \$33,099,196 be set at \$32,087,892.

**BE IT FURTHER RESOLVED**, that the City of Augusta appropriate \$30,510,219 for the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act and that the City of Augusta raise \$13,803,577 as the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Explanation: The City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the municipality must raise in order to receive the full amount of state dollars.

**BE IT FURTHER RESOLVED**, that the City of Augusta raise and appropriate \$218,875 for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade twelve.

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction and minor capital renovations that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters of the City as follows:

- New Cony High School – approved by the voters on December 2, 2003

**BE IT FURTHER RESOLVED**, that the City of Augusta raise and appropriate \$874,350 in additional local funds, which is greater than the State's Essential Programs and Services allocation model.

Explanation: The additional local funds, if any, are those locally raised funds over and above the City's local contribution to the total cost of funding public education from pre-kindergarten through grade twelve as described in the Essential Programs and Services Funding Act and local amounts raised for the annual debt service payment on previously approved non-state-funded school construction projects and the non-state-funded portion of minor capital school construction projects that will help achieve the City's budget for educational programs. The appropriate is less than the Essential Program and Services model.

**BE IT FURTHER RESOLVED**, that the City of Augusta appropriate \$721,658 and raise \$468,200 for Adult Education.

**BE IT FURTHER RESOLVED**, That the City of Augusta authorize the Augusta Board of Education to expend \$32,325,102 for the fiscal year beginning July 1, 2019 and ending June 30, 2020 from the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools.

Motion to suspend further reading of order 19-076.

By: Day Second by: Elliott

Yeas: 7

Nays: 1 – Councilor Judkins

Motion passed

	FINAL BUDGET
LEGISLATIVE AND EXECUTIVE	
MAYOR AND COUNCIL	\$30,765
CITY MANAGER	\$243,360
CORPORATION COUNSEL	\$128,004
UNCLASSIFIED	\$207,375
COUNCIL CONTINGENCY	\$20,000
BICENTENNIAL CONTINGENCY	\$20,000
MANAGER CONTINGENCY	\$10,000
TOTAL LEGISLATIVE AND EXECUTIVE	\$659,504
CITY CLERK, TREASURER, TAX COLLECTOR	\$510,716
REGISTRATION AND ELECTIONS	\$71,250
CITY AUDITOR	\$293,399
INFORMATION SYSTEMS	\$513,146
ASSESSOR	\$198,417
FINANCE AND ADMINISTRATION	\$143,873
HUMAN RESOURCES	\$257,177
TOTAL FINANCE AND ADMINISTRATION	\$1,987,978

DEVELOPMENT SERVICES	
ECONOMIC DEVELOPMENT	\$269,056
PLANNING	\$270,541
HISTORICAL PRESERVATION	\$4,000
CODE ENFORCEMENT	\$188,754
CITY BUILDINGS	\$1,079,561
TOTAL DEVELOPMENT SERVICES	<hr/> \$1,811,912

COMMUNITY SERVICES	
COMMUNITY SERVICES ADMINISTRATION	\$218,881
PUBLIC LIBRARY	\$844,144
RECREATION	\$198,124
PARKS AND CEMETERIES	\$1,054,022
FORT WESTERN	\$125,333
BICENTENNIAL NATURE PARK	\$28,740
HEALTH AND WELFARE	\$181,204
GENERAL ASSISTANCE	\$256,150
TOTAL COMMUNITY SERVICES	<hr/> \$2,906,598

PUBLIC SAFETY	
POLICE	\$5,354,994
FIRE	\$5,169,189
TOTAL PUBLIC SAFETY	<hr/> \$10,524,183

PUBLIC WORKS	
PUBLIC WORKS ADM	\$72,998
HIGHWAY	\$2,068,034
SNOW REMOVAL	\$1,271,714
WASTE REMOVAL	\$829,616
ENGINEERING	\$96,502
TOTAL PUBLIC WORKS	<hr/> \$4,338,864

TOTAL UTILITIES	\$2,350,453
TOTAL RETIREMENT AND INSURANCE	\$3,443,581
TOTAL SERIAL BONDS AND NOTES	\$3,228,656
	<hr/> \$9,022,690

TOTAL COUNTY TAX	\$1,610,257
DEPARTMENT OF EDUCATION	
TOTAL DEPARTMENT OF EDUCATION	\$32,325,102
TOTAL APPROPRIATIONS	<hr/> \$65,187,088

Motion to approve order 19-076.  
By: O'Brien                      Second by: Lind  
Yeas: 7  
Nays: 1 – Councilor Judkins  
Motion passed

**COMMUNICATIONS**

Committee Reports  
City Manager's Report

**19-077                      City Manager**

Executive Sessions:    Real Estate Matter; 1 M.R.S.A. §405(6)(C)

Motion to enter Executive Session at 6:54 p.m., in accordance with 1 M.R.S.A. §405(6)(C), real estate matter.  
By: Conti                      Second by: Lind  
Yeas: 8  
Nays: 0

Motion to leave executive session and adjourn at 7:15 p.m.  
By: Conti                      Second by: Lind  
Yeas: 8  
Nays: 0

Respectfully submitted,  
Roberta L. Fogg, City Clerk  
May 31, 2019