

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

November 22, 2006

Minutes of the regular City Council meeting held Monday, November 20, 2006 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present except Councilor Lerman; Mayor Dowling presided.

Public Hearing - Malt, Spirituous, and Vinous Liquor License  
Application for New China King & Family, Inc.,  
d/b/a China King, 57 Western Avenue (Order 192)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

183 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, Section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by deleting the following:

Anthony Avenue:

No parking either side the entire length.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

184 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, Section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by adding the following:

Anthony Avenue:

No parking on the west side the entire length.

No parking on the east side from Darin Drive southerly for a distance of six hundred three (603) feet. Parking on the east

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING (Con't)

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side starting at a point six hundred three (603) feet southerly for a distance of sixty-six (66) feet restricted to Driver License Testing Only. No parking on the east side starting at a point six hundred sixty-nine (669) feet southerly to the Leighton Road.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

185 WHEREAS, the Planning Board of the City of Augusta created a subcommittee with membership from the Board and various interested individuals to recommend changes to the City's sign regulations.

WHEREAS, the Planning Board of the City of Augusta held a public hearing on September 12, 2006, and a second public hearing on September 26, 2006, then voted unanimously to recommend a set of changes to the City Council.

City Council of Augusta therefore makes a comprehensive set of changes to the City's sign regulations found in Section 5.1.17 of the Land Use Ordinance.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the attached changes be made to the Augusta Land Use Ordinance, where deletions are in strikeout and additions are underlined below.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

186 BE IT ORDAINED, By the Augusta City Council that Article V, Section 2-255 of the Revised Code of Ordinances be deleted and replaced with the following:

"The following Councilmembers are hereby authorized to countersign warrants in accordance with Article VII, Section II of the Charter as amended:

Inauguration of City Council through April 4, odd years, Ward 1 Councilmember; April 5 through July 4, odd years, Councilmember At-Large selected by alphabetical order; July 5

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING (Con't)

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through October 3, odd years, Ward 2 Councilmember; October 4, odd years, through January 2, even years, Councilmember At-Large next selected by alphabetical order; January 3 through April 2, even years, Ward 3 Councilmember; April 3 through July 2, even years, Councilmember At-Large next selected by alphabetical order; July 3 through October 1, even years, Ward 4 Councilmember; October 2, even years, through inauguration of City Council, odd years, Councilmember At-Large next selected by alphabetical order."
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund
- Nays: 0

- 187 WHEREAS, the City Council of Augusta desires to modify the boundary of the Institutional, Business, and Professional Subdistrict (BP).

WHEREAS, the Planning Board held a public hearing on October 10, 2006, and voted unanimously to the boundary of the Institutional, Business, and Professional Subdistrict (BP) moving the parcel at Map 34, Lot 135 to the Kennebec Business District 1 (KBD1).

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the following changes be made to the Augusta Land Use Ordinance:

Amend the Official Map for the City of Augusta to change the zoning on the Assessor's Map 34, Lot 135 from Institutional, Business, and Professional Subdistrict (BP) to the Kennebec Business District 1 (KBD1).

- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund
- Nays: 0

HAS BEEN READ AND PASSED

- 182 BE IT ORDERED, By the City Council of the City of Augusta that the public way known as Storey Street, no longer of public use and necessity, be discontinued; and

The description of the discontinued road shall match the

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED (Con't)

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descriptions of all portions of the road acceptance for Storey Street by the City on October 20, 1958, and November 9, 1960.

That the City chooses to retain a public easement over the herein described area for public utility facilities to provide services and that there shall be zero damages be paid to abutting property owners as would be allowed under 23 M.R.S.A. Section 3026.

Description of area where a public easement, for the purposes described above, shall be retained: Beginning at the southerly edge of the Western Avenue right-of-way and extending approximately 518.2 feet south and 40 feet wide on the westerly edge of the so-called "Kennebec Journal Lot" over a portion of Storey Street, as shown on the plan entitled "Storey Street Subdivision - Augusta, Maine: Development by Capital Development Co., Portland, Maine". Said plan was approved by the City of Augusta Planning Commission on March 2, 1960, and recorded at the Kennebec County Registry of Deeds on April 11, 1960, volume 22, pages 54 and 55.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

NEW BUSINESSHAS BEEN READ AND NOT PASSED

193 ORDERED, That the following application for a Taxi Driver's License be approved:

Nicholas Gilman, 53 Forester Lane, West Gardiner, Maine.

NO MOTION MADE FOR PASSAGE

HAS BEEN READ AND PASSED, AS AMENDED

194 ORDERED, That \$233,385 is appropriated from General Fund Undesignated Fund Balance. The purpose of the appropriation is to provide funding for a stand-alone heating and electrical services capabilities for the Cony Flatiron Building. Funding will also provide for the discontinuance of electrical service and draining of the heating system and all potable water

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED, AS AMENDED (Con't)

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systems to the 1965 addition to the old Cony High School facility.

BE IT FURTHER ORDERED, That \$73,200 is hereby appropriated from the General Fund Undesignated Fund Balance to provide funding for the operating cost (heat, electricity, general maintenance), of the Flatiron Building for FY 2007.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

HAS BEEN READ AND PASSED

- 188 ORDERED, That minutes of the City Council meeting held November 8, 2006 submitted by the City Clerk be approved.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

- 189 ORDERED, That the City Council accept a donation of One Equinox "Rescue Boggin" from the North Augusta Trailblazers valued at \$1,300.00.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

- 190 ORDERED, That June Cumler be appointed to the Airport Advisory Committee; said term to expire November 20, 2009.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

- 191 ORDERED, That John O. Clark, Sr. be reappointed to the Assessment Review Board; said term to expire November 21, 2009.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

192 ORDERED, That the following application for a Malt, Spirituous and Vinous Liquor License be approved:

New China King & Family, Inc. d/b/a China King, 57 Western Avenue

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

195 ORDERED, That the City Council establish a Junk Ordinance ad-hoc committee of Council for the purpose of drafting a Junk Ordinance. Members will include Mayor Dowling and Councilors Byron, Gomeau, and Koski.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Coffin, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell  
City Clerk