

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

July 23, 2004

Minutes of the regular City Council meeting held Monday, July 19, 2004 at 7:00 p.m. Council Chambers, City Center.

All members of the Council were present except Councilors Foster and Davis; Mayor Dowling presided.

Presentation - Amber McCormick, the 2004 Recipient of the Edwards Dam Scholarship

Presentation - Community and Social Services Advisors regarding sex offenders in the neighborhoods

Presentation - Team Cony - Roger Katz and Roger Pomerleau

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

106 ORDERED, That the City Manager is hereby authorized to transfer title of a certain parcel of city-owned property located on Tax Map 35, Lot 50, located at 4-4 1/2 York Street to Bread of Life with the condition that a payment in lieu of taxes for land and buildings equal to the municipal share of property taxes shall be provided to the city.

(NO MOTION TO REMOVE ORDER FROM TABLE)

HAS BEEN READ AND PASSED, FINAL READING

102 BE IT ORDAINED, by the City Council of Augusta, that the language of Section 5.1.11 of the Land Use Ordinance, which deals with lighting, shall be amended by making the following changes:

Change 1: Amend Section 5.1.11 (1) by adding the underlined language below:

(1) Outside lighting used for business and professional offices, commercial, and industrial activities including lighted signs, shall not be permitted to trespass beyond the boundaries of the property on which it is located above

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND PASSED, FINAL READING (Con't)

102 Continued

the following levels of light: not more than 0.3 foot candles for an abutting residential property or use; and not more than 0.8 foot candles for an abutting commercial property or use.

Change 2: Amend Section 5.1.11 by adding a new subsection (6) with the underlined language below:

(6) Exceptions:

a. Athletic fields, fairgrounds, and approved temporary special lighting that meets current Illuminating Engineering Society of North America (IESNA) recommended practice standards for sports and recreational area lighting, and is approved by the Planning Board after holding a public hearing on the matter. For such projects reviewed by the Planning Board, conditions of approval may be applied to ensure that the proposed project is compatible with an adjacent neighboring land use.

b. Any proposed expansion or construction of a professional office, commercial, or industrial land use project that meets the IESNA lighting standard(s) for that land use, as designed and shown on a plan done by a professional lighting engineer and approved by the Planning Board after holding a public hearing on the matter. For such projects reviewed by the Planning Board, conditions of approval may be applied to ensure that the proposed project is compatible with an adjacent neighboring land use.

Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund

Nays: 0

NEW BUSINESS

HAS BEEN READ, FIRST READING

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

That Chapter 6, Article II. Code Enforcement, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

- 115 Continued
Sec. 6-31. Adoption of building code.

The BOCA National Building Code, latest edition as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the building code of the city for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the BOCA National Building Code, are hereby referred to, adopted and made a part hereof, excluding:

Article 24 Masonry Fireplaces,
Article 25 Mechanical Equipment and Systems,
Article 26 Elevator, Dumbwaiter and Conveyor Equipment Installation and Maintenance,
Article 27 Electronic Wiring, Equipment and Systems,
Article 28 Plumbing Systems,
Article 29 Signs, and
Article 31 Energy Conservation.

That Chapter 6, Article II. Code Enforcement, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Sec. 6-31. Adoption of building codes.

Sec. 6-31.1 Building code.

The International Building Code, 2003 edition as published by the International Code Council is hereby adopted as the building code of the City of Augusta for the control of buildings and structures, except one- and two-family dwellings and townhouses, as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the International Building Code are hereby referred to, adopted and made a part hereof, excluding:

Chapter 13 - Energy Efficiency
Chapter 21 - (Fireplaces, Chimneys)
Chapter 27 - Electrical
Chapter 28 - Mechanical Systems
Chapter 29 - Plumbing Systems
Chapter 30 - Elevators and Conveying Systems
Chapter 31 - (Signs)
Chapter 35 - Referenced Standards

Sec. 6-31.1.2 Residential building code.

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

115 Continued

The International Residential Code, 2003 edition as published by the International Code Council, is hereby adopted, as the residential building code of the City of Augusta for the control of one- and two-family dwellings and townhouses, as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the International Building Code are hereby referred to, adopted and made a part hereof, to include:

Chapter 1 - Administration

Chapter 2 - Definitions

Chapter 3 - Building Planning

Chapter 4 - Floors

Chapter 5 - Foundations

Chapter 6 - Wall Construction

Chapter 7 - Wall Covering

Chapter 8 - Roof-Ceiling Construction

Chapter 9 - Roof Assemblies

and excluding Chapters 10 - 43.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

111 ORDERED, That minutes of the City Council meetings held June 21, June 28 and July 12, 2004 submitted by the City Clerk be approved.

Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund

Nays: 0

112 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$3,600.00.

Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund

Nays: 0

113 ORDERED, That the City Manager is authorized to expend funds in an amount not to exceed \$5,000.00 from appropriations made to the Augusta Historic Preservation Commission for the purpose of repair and stabilization of City-owned property at 25 Bond Street consistent with the recommendations of the Council's Mill Workers' Housing

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

- 113 Continued
Advisory Committee.
- Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund
- Nays: 0
- 114 ORDERED, That the Augusta City Council convey 20 acres of land currently owned by the City of Augusta that is located on Mud Mill Road (Map 12, Lot 7) to the State of Maine, Department of Inland Fisheries and Wildlife for the purpose of adding the 20-acre parcel to the Alonzo H. Garcelon Wildlife Management Area. In exchange for the 20-acre parcel, the Department of Inland Fisheries and Wildlife will assist in securing wetland mitigation credits to aid in resolving wetland mitigation issues for the NEW Cony High School. Any unused credits will be placed into a "Wetland Mitigation Credit Bank" with the Maine DEP for use by the City of Augusta when future applicable City projects require wetland mitigation.
- Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund
- Nays: 0
- 116 BE IT ORDERED, That the City Manager is authorized to accept grant funding in the amount of \$10,819.00 from the Federal Bureau of Justice Assistance and \$1,202.00 in local matching funds from the drug forfeiture account and have the same deposited in an interest bearing account for the purchase of law enforcement related equipment to include Camera Equipment, Police Mountain Bikes, Portable Radio Upgrades and Taser equipment.
- Yeas: 6; Sotir, Doore, Veilleux,
Lerman, Koski, Lund
- Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk