

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

June 18, 2008

Minutes of the regular City Council meeting held Monday, June 16, 2008 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Katz presided.

Proclamation - Recognition of Severin Beliveau for his receipt of the French Government's Legion of Honor Award

Presentation - Edwards Dam Scholarship to Joseph Record

Presentation - Recognition of Cony and CATC Students of the Month (April and May)

Presentation - Jennya Sakaeva, Hodgkins Student - Reading of her essay about Hodgkin's Band trip to Washington D. C.

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

131 WHEREAS, commercial blasting and use of explosives for purposes of quarrying mineral extraction and the production of construction materials have been occurring frequently in the City of Augusta, and whereas numerous reports of property damage resulting from such blasting have been communicated to the City, and

WHEREAS, current City of Augusta Ordinances are inadequate to effectively regulate and prevent serious public harm and property damage which may occur as a result of blasting in the City, and

WHEREAS, City Staff is aware of planned blasting in the vicinity of residential homes in the City, and

WHEREAS, the City Council has appointed a Committee to draft a new Ordinance regulating blasting, which has not completed its work, and

WHEREAS, the City Council needs additional time to complete the process of enacting a new Ordinance regulating blasting.

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued

NOW THEREFORE, The Council hereby ORDERS that a moratorium be enacted effective as of the date of passage by Council which prohibits all commercial blasting and use of explosives for the purpose of mineral extraction, quarrying or the production of construction materials within 2000 feet of a residence.

This moratorium will expire in one hundred eighty (180) days from the date of passage or upon the effective date of enactment of a new Ordinance regulating blasting, whichever occurs first.

(NO MOTION TO REMOVE FROM TABLE)

HAS BEEN READ, FIRST READING

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

That chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Throughway
Winthrop Street

Entering Street
Blaine Avenue

(FIRST READING, NO VOTE REQUIRED)

NEW BUSINESS

HAS BEEN READ AND PASSED

087 ORDERED, That minutes of the City Council meeting held June 2, 2008 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

088 ORDERED, That Roll of Accounts for the month of May 2008 in the amount of \$4,018,646.17 be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

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

- 089 ORDERED, That Donald J. Cadwell be reappointed as Assessor of Taxes for two (2) years; said term to expire June 18, 2010.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 090 ORDERED, That Charlene Hamiwka be reappointed to the Tree Board; said term to expire June 20, 2011.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 091 ORDERED, That Roger Pomerleau, Theresa Savoy and John Thiele be reappointed to the Community Development Advisory Committee; said terms to expire May 15, 2010.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 092 ORDERED, That Alison K. B. Nichols be reappointed to the Planning Board; said term to expire June 20, 2011.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 093 ORDERED, That William McKenna be reappointed to the Planning Board; said term to expire June 20, 2011.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 094 ORDERED, That the City Council accept donations for the Capital City Riverfront Fourth event in the amount of \$950.00 from the following businesses:
- | | |
|--------------------|----------|
| G & E Roofing | \$250.00 |
| MacDonald Page | 200.00 |
| Pine State Trading | 500.00 |
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0

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

- 095 ORDERED, That the City Council accept a donation of 16 bicycles from the Maine Safe Routes to School program as part of the City's Safe Routes to School grant coordinated by the City and the Augusta School Department at the City's elementary schools. The dollar value of this education and encouragement incentive program is approximately \$4900. Additionally, the Brain Injury Association of Maine is donating bicycle helmets to Augusta elementary students as part of this Safe Routes to School program. The approximate value of this helmet donation is \$1600.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 096 ORDERED, That the City Council, consistent with salary adjustments awarded to union employees, authorize a 3% cost-of-living salary adjustment to non-union employees at the start of the pay week closest to July 1, 2008.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 097 ORDERED, That Mayor Katz is authorized to execute a three-year renewal contract (appended) with Preti Flaherty Beliveau & Pachios LLP for the provision of legal services for the period commencing July 1, 2008.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 098 ORDERED, That the City Manager is authorized to apply for a Federal Safer Act Grant for six Firefighter/EMS positions. The estimated value of this grant over four years is \$650,280. The estimated local share is \$661,545, excluding offsetting overtime savings estimated at \$1,150,500.
- Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
- Nays: 0
- 099 ORDERED, That the City Manager is authorized to execute a Maine Department of Transportation Developer/City/State Agreement for the Cony Circle Project. The City's contribution to the \$1,870,000 total project cost is \$475,000. The City's

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

099 Continued
contribution consists of \$195,000 from Impact Fees collected by the City from the CVS development on Stone Street and \$280,000 for improvements to the north side of Cony Street and a mast arm traffic signal upgrade at Stone and Middle Streets, and

BE IT FURTHER ORDERED, That said \$280,000 be appropriated from the City's Undesignated Fund Balance for the afore-mentioned improvements, and

BE IT FURTHER ORDERED, That upon creation by Council of a Cony Circle Tax Increment Financing District, said \$280,000 will be repaid from TIF proceeds back to the General Fund.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

100 ORDERED, That the City Manager be and hereby is authorized to execute on behalf of the City a contract with Maine Department of Transportation for a State Infrastructure Bank Financing Agreement for Cony Circle Project in the amount of \$150,000.

BE IT FURTHER ORDERED, That the City Manager be and hereby is authorized to execute on behalf of the City an agreement with Hannaford Bros. Co. regarding the use and repayment of the State Infrastructure Bank Financing.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

101 ORDERED, That the Mayor is authorized to appoint a committee to study the establishment and enforcement of a property maintenance code.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

102 WHEREAS, the 2007 Comprehensive Plan for the City of Augusta encourages the safe flow of traffic on City streets and the prevention of sign clutter along West River Road.

WHEREAS, adequate signage is necessary for drivers to safely identify desired uses and maneuver off the traveled way.

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

102 Continued

WHEREAS, Le Club Calumet is located in a district where it is a non-conforming use with very limited signage allowed making locating the use both difficult and potentially dangerous to drivers.

WHEREAS, some signage in the City that has been in use for more than 50 years has become part of the historic fabric of the City and often is a physical part of the building to which it is attached.

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta that the Planning Board review and make a recommendation to the Council regarding the option of creating an exemption from the sign ordinance regarding Historic Signs as follows:

Amend Section 5.1.17.5.a of the Land Use Ordinance, adding a new subsection H, as follows:

H. Historically Significant Signs. Any sign of less than twenty-four (24) square feet that is attached to a building and can be proven to have been in place, unchanged except for required maintenance, for at least fifty (50) years shall not count toward the number of signs allowed on a property. These historically significant signs become part of the cultural fabric of Augusta and it is the City's intent to protect them from removal, when possible.

And that the Planning Board further review and make a recommendation to the Council regarding the option of amending the Table of Uses to allow Civic, Social and Fraternal Organizations as either a Conditional Use or Permitted Use in the Low Density Residential (RA) district.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

103 ORDERED, That Mayor Katz is authorized to establish a Council committee to study and make recommendations on a Historic District/Demolition Delay Ordinance.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk