

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

June 20, 2007

Minutes of the regular City Council meeting held Monday, June 18, 2007 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - To Danielle Terrill Recipient of 2007 Edwards Dam Scholarship (moved to July 2)

Public Hearing - Malt, Spirituous and Vinous Liquor License Application for L.S.I., Inc., d/b/a Best Western Senator Inn & Spa, 284 Western Avenue (Order #125)

Public Hearing - 2007 Community Development Block Grant/Business Assistance Grant - Phase II Application for the Kenway Corporation (Order #128)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

108 WHEREAS, the Planning Board of the City of Augusta identified a concern about glare from existing light fixtures and desired to ensure that glare is limited or eliminated to the extent possible; and

WHEREAS, the Planning Board of the City of Augusta held a public hearing on March 13, 2007, and voted unanimously to recommend changes to the City Council.

The City Council of Augusta therefore makes the following text amendments to the Land Use Ordinance.

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, where deletions are in ~~strikeout~~ and additions are underlined below:

Amend Section 5.1.11.1 of the Land Use Ordinance as follows:

(1) Outside lighting used for business and professional offices, commercial, and industrial activities including lighted signs, shall not be permitted to trespass beyond

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

108 Continued

the boundaries of the property on which it is located above 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. Any luminaire, other than those used at a single family or duplex property, shall be full cutoff design, unless otherwise required by state or federal law, or allowed by the Planning Board.

(NO MOTION TO REMOVE FROM TABLE)

HAS BEEN READ AND PASSED, FINAL READING

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

That Chapter 6, Article V. Solid Waste, Section 6-345 Definitions, of the Revised Code of Ordinances 1990, as amended, be further amended as follows:

Residential. Single and multifamily dwellings (up to four (4) units) including home occupations operating in accordance with the city land use ordinance, boarding homes, land-lease communities and group homes. For purposes of this article, "residential" does not include nursing homes or rooming houses of more than three (3) rooms which are considered nonresidential under the category of "services".

BE IT FURTHER ORDAINED, That Chapter 6, Article V. Solid Waste, Section 6-348 Public rubbish/recyclable collection, of the Revised Code of Ordinances 1990, as amended, be further amended as follows:

Properties located on private roads which are not receiving any public works services as of January 15, 1997, except for residential public rubbish/recyclable collection on private roads which the City has accepted a public easement and with consent of the private road association.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

NEW BUSINESSHAS BEEN READ AND PASSED

- 121 ORDERED, That minutes of the City Council meeting held June 4, 2007 submitted by the City Clerk be approved.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
- Nays: 0
- 122 ORDERED, That Roll of Accounts for the month of May 2007 in the amount of \$4,073,941.04 be approved.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
- Nays: 0
- 123 ORDERED, That the City Council accept a grant from Maine Municipal Association's Safety Enhancement Program in the amount of \$1,327.33.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
- Nays: 0
- 124 ORDERED, That Darek Grant (Southeast Representative) and Ellen McGuire (At-Large Representative) be reappointed to the Community Development Advisory Committee; said terms to expire May 15, 2009.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
- Nays: 0
- 125 ORDERED, That the following application for a Malt, Spirituous and Vinous Liquor License be approved:
- L.S.I., Inc., d/b/a Best Western Senator Inn & Spa, 284 Western Avenue.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
- Nays: 0

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

- 126 BE IT ORDERED, to re-appropriate (decrease appropriations) from the following Capital Improvement Projects:

Hartford Station Heating Upgrade	(\$19,000)
Hospital Street Overhead Doors	(\$ 4,600)
TOTAL	<u>(\$23,600)</u>

BE IT FURTHER ORDERED, That \$23,600 be appropriated for:

Fire Department facilities location/ upgrade study	\$23,600
TOTAL	<u>\$23,600</u>

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
Nays: 0

- 127 ORDERED, That the following FY 07 appropriations be increased:

Retirement and Insurance	\$ 59,195
Corporation Counsel	\$ 40,385
Utilities	\$ 11,000
Code Enforcement	\$ 10,000
County Tax	\$ 9,920
TOTAL	<u>\$130,500</u>

BE IT FURTHER ORDERED, That investment income be increased by \$130,500.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund
Nays: 0

- 128 WHEREAS, the City of Augusta wishes to apply to the Department of Economic and Community Development for a Community Development Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program has been complied with, including participation in the planning process by low and moderate income families

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

128 Continued
and individuals and the community has conducted at least one
duly advertised public hearing.

NOW THEREFORE BE IT RESOLVED, By the City Council of the City
of Augusta that the City Manager:

1. Is authorized and directed to submit an application for the
following program and dollar amount within the State of
Maine's CDBG Program:

Program: Business Assistance Grant Amount: \$400,000

To the Department of Economic and Community Development on
behalf of the City of Augusta, substantially in the form
presented to this Council;

2. Is authorized to make assurances on behalf of the City of
Augusta required as part of such applications, and

3. Is authorized and directed, upon acceptance of said funds
to carry out the duties and responsibilities for implementing
said program, consistent with the Charter of the City of
Augusta and the laws and regulations governing planning and
implementation of community development programs in the State
of Maine.

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

Nays: 0

129 ORDERED, That the City Council authorize the City Manager to
contract with the City of Hallowell and Town of Chelsea for
emergency medical services.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

130 ORDERED, That the City Council enter into executive session to discuss acquisition of real property; 1 M.R.S.A., Section 405 (6)(c).

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk