

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 24, 2003

Minutes of the regular City Council meeting held Monday, October 20, 2003 at 7:00 p.m., Council Chambers, City Center.

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

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

111 ORDERED, That the following property located at 759-761 Eastern Avenue, Augusta, Maine, Tax Map 14, Lot 2, is declared a "Dangerous Building" that is:

- a. structurally unsafe, and
- b. unstable, and
- c. unsanitary, and
- d. constitutes a fire hazard, and
- e. constitutes a health or safety hazard because of inadequate maintenance, dilapidation, obsolescence or abandonment, and
- f. is otherwise dangerous to life or property.

Therefore, the above-mentioned property is adjudged to be a dangerous nuisance, and shall be forthwith repaired or restored to a safe condition, or removed, or demolished within thirty (30) calendar days of the effective date of this Order. Failing said action by the building's owner, and failing the filing of an appeal with the Superior Court within the prescribed period, the City of Augusta shall act to cause the above-mentioned dangerous nuisance to be abated or removed in compliance with this Order. Should the City of Augusta be required to abate or remove the above-mentioned dangerous nuisance in accordance with this Order, all expenses attendant thereof shall be repaid to the City by the owner or co-owner within thirty (30) days after demand or a special tax may be assessed by the City Assessor against the land on which said building was located for the amount of such expenses and such amount shall be included in the next annual warrant to the City's Tax Collector for collection, and shall be collected in the same manner as other state, county, and municipal taxes are

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

- 111 Continued
collected. In addition to levying a special tax, the City may recover its expenses by means of a civil action brought against the owner.

Yeas: 5; Sotir, Veilleux, Foster, O'Brien, Koski

Nays: 2; Davis, Lund

HAS BEEN READ AND PASSED

- 110 ORDERED, That the following property located at 417-423 Eastern Avenue, Augusta, Maine, Tax Map 11, Lot 128, they are declared "Dangerous Buildings" that is:

- a. structurally unsafe, and
- b. unstable, and
- c. unsanitary, and
- d. constitutes a fire hazard, and
- e. constitutes a health or safety hazard because of inadequate maintenance, dilapidation, obsolescence or abandonment, and
- f. is otherwise dangerous to life or property.

Therefore, the above-mentioned property is adjudged to be a dangerous nuisance, and shall be forthwith repaired or restored to a safe condition, or removed, or demolished within thirty (30) calendar days of the effective date of this Order. Failing said action by the building's owner, and failing the filing of an appeal with the Superior Court within the prescribed period, the City of Augusta shall act to cause the above-mentioned dangerous nuisance to be abated or removed in compliance with this Order. Should the City of Augusta be required to abate or remove the above-mentioned dangerous nuisance in accordance with this Order, all expenses attendant thereof shall be repaid to the City by the owner or co-owner within thirty (30) days after demand or a special tax may be assessed by the City Assessor against the land on which said building was located for the amount of such expenses and such amount shall be included in the next annual warrant to the City's Tax Collector for collection, and shall be collected in the same manner as other state, county, and municipal taxes are collected. In addition to levying a special tax, the City may recover its expenses by means of a civil action brought against the owner.

Yeas: 6; Sotir, Veilleux, O'Brien, Davis, Koski, Lund

Nays: 1; Foster

NEW BUSINESSHAS BEEN READ, FIRST READING

133 BE IT ORDAINED, By the City Council of the City of Augusta that the following changes be made to the Official Zoning Map and Land Use Ordinance regarding the expansion of the current Rural Village (RV) Zoning District located on outer Civic Center Drive:

1. On the Official Zoning Map, for a continuous depth of five hundred (500) feet back from each boundary of the Civic Center Drive Right-of-Way, extend the Rural Village (RV) Zoning District currently located on Civic Center Drive in a northerly direction from its existing location all the way to the Town of Sidney line. (see attached map)

2. Amend the 'Minimum Road Frontage (Feet)' column in the table of uses and dimensional requirements language in Section 3.2.2(4) of the Land Use Ordinance, dealing with requirements of the Rural Village (RV) Zoning District, by adding a slash and the number four-hundred ("/400") after each of the 3 entries in that column, and by adding the following language immediately below the table: "The minimum frontage requirement for any new lot created within the Rural Village District located along Civic Center Drive shall be four-hundred (400) feet."

3. Re-Letter paragraph 3.2.2(4)(b) to now be known as section 3.2.2(4)(c)

4. Add new paragraph 3.2.2(4)(b) that contains the following language: "Notwithstanding Section 3.4.2 of this Ordinance, for the Rural Village District area along Civic Center Drive, the zoning boundary line which is five-hundred (500) feet back from Civic Center Drive shall be the physical limit for where a land use allowed in the Rural Village District on a lot in question can extend, unless that land use is also allowed in the adjacent zoning district of that same lot."

(FIRST READING, NO VOTE REQUIRED)

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

- 128 ORDERED, That minutes of the City Council meetings held September 29 and October 6, 2003 submitted by the Acting City Clerk be approved.
- Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund
- Nays: 0
- 129 ORDERED, That Roll of Accounts #3 for the month of September 2003 in the amount of \$3,619,856.84 be approved.
- Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund
- Nays: 0
- 130 ORDERED, That the report regarding the City's financial position through September 2003 be presented and accepted upon presentation.
- Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund
- Nays: 0
- 131 ORDERED, That the attached list for Wardens, Ward Clerks and Constables be appointed in accordance with the City of Augusta Charter, Article V, Section 2; said appointees "shall hold their offices for one (1) year, or until others have been chosen and qualified in their stead".
- Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund
- Nays: 0
- 132 ORDERED, That the City Council hereby accepts the Certificate of Settlement and Warrant for Completion of Collection for fiscal year 1999 through 2004 taxes.
- Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund
- Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

134 ORDERED, That the City Council enter into Executive Session to discuss two real estate matters.

Yeas: 7; Sotir, Veilleux, Foster,
O'Brien, Davis, Koski, Lund

Nays: 0

Respectfully submitted,

Linda Veilleux
Acting City Clerk