

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

May 23, 2003

Minutes of the regular City Council meeting held Monday, May 19, 2003 at 7:00 p.m., Council Chambers, City Center.

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

Public comment was held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

052 BE IT RESOLVED, That there is hereby appropriated for the support of the departments of the City of Augusta, for payment of County Taxes, for the bonded indebtedness of the City, and for all the other debts incurred by the City for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the sum of \$42,681,036 of which a summary appears below.

BE IT FURTHER RESOLVED, That the amount to be raised from current real and personal taxes considering estimated departmental revenues, fund balance, and other sources of \$19,995, 238 to be set at \$22,685,798 (see pages 356 - 358) (NO MOTION TO REMOVE FROM TABLE)

HAS BEEN READ AND PASSED, FINAL READING

051 BE IT ORDAINED, That Chapter 13 of the Revised Code of Ordinances be further amended to include a section for "Disorderly House".

Definition: Disorderly House shall mean any dwelling to which the police have responded eight (8) or more times in any thirty (30) day period involving the conduct of the owner, tenant(s), or tenants' co-habitees, guest or invitees which would unreasonably disturb the community, the neighborhood or an individual, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are audible outside the dwelling; loud noise or fights involving tenants of the dwelling or their invitees; tenants or invitees of tenants being under the influence of drugs or

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

051 Continued

intoxicating liquor; the arrest and conviction of tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law; other similar activities. Dwelling is defined as any single or multi-family residence or part thereof, including garages, outbuildings, exterior grounds and separate apartments. This ordinance applies to all such conduct occurring at or within 300 feet of the dwelling.

Notice of disorderly house: (a) Whenever a dwelling has been visited by the police four (4) times, but less than eight times in any thirty (30) day period, in relation to incidents which meet the above definition, the police department, or any other agent designated by the City Manager may notify the owner of the circumstances involving the police responses.

(b) Whenever a dwelling has been identified as a disorderly house by the City, the City shall provide written notification of the events which form the basis for the designation to the owner.

(c) The notice shall require the owner or the owner's designated agent to meet with representatives of the City within five (5) business days, or such time as is agreed by both parties. The intent of such meeting is to discuss the issues surrounding the circumstances involving the police responses to the disorderly house. At the meeting, the parties shall make a good faith effort to reach a written agreement which will require the owner to make reasonable efforts to resolve the problems which have required police intervention.

The following shall be considered violations of this ordinance:

- (a) Failure to attend the meeting with the City.
- (b) Failure to make a good faith effort to reach an agreement.
- (c) Failure to comply with the agreement.

The first violation of this ordinance will result in a \$100 fine being imposed against the owner. The second and all subsequent violations will result in a maximum fine of

OLD BUSINESS AND TABLED MATTERS (Con't)

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

051 Continued
\$500. If the City is required to bring an action in Court to enforce this ordinance, it may seek injunctive relief and will be entitled to its reasonable attorney's fees.

Yeas: 7; Sotir, Doore, Veilleux
O'Brien, Davis, Koski, Lund
Nays: 0

HAS BEEN READ AND PASSED

044 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 have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted at least one duly advertised public hearing,

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

1) is authorized and directed to submit applications for the following programs and dollar amounts within the State of Maine's CDBG Program:

Program: 9 Unit SRO for Homeless at 271 State Street
Amount: \$160,000

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.

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

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

Nays: 1; Davis

NEW BUSINESSHAS BEEN READ, FIRST READING

- 060 BE IT ORDAINED, By the City Council of the City of Augusta, Maine, that the parcels of land shown as lots 118A, 119, 120, 134 and 136 on Augusta Tax Map 34 be generally re-zoned from BP (Institutional/Business/Professional) District to KBD1 (Kennebec Business District 1).
(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

- 053 ORDERED, That minutes of the City Council meeting held May 5, 2003 submitted by the City Clerk be approved.

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

Nays: 0

- 054 ORDERED, That Roll of Accounts #10 for the month of April 2003 in the amount of \$4,135,427.24 (warrants 198 through 219 inclusive) be approved.

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

Nays: 0

- 055 ORDERED, That the report regarding the City's financial position through April 2003 be presented and accepted upon presentation.

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

Nays: 0

- 056 ORDERED, That the Voter Registration hourly schedule for open session for the June 10, 2003 State of Maine and Municipal Special Referendum election be scheduled as follows:

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

056 Continued

Thursday, June 5, 2003
1:00 p.m. through 6:00 p.m.

The intent of this order is to change the evening session time in accordance with Title 21-A, Section 122-8 of the State of Maine Revised Statutes, as amended.

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

Nays: 0

057 ORDERED, That the City Council reappoint the following individuals:

Name	Committee	Exp. Date
Anita Parent	Community Dev. Advisory Comm.	05/15/2005
Gloria Morrissette	" " " "	05/15/2005
Melvin Morrison	" " " "	05/15/2005
Roger Pomerleau	" " " "	05/15/2005
Theresa Savoy	" " " "	05/15/2005
John Thiele	" " " "	05/15/2005
James Tierney, Sr.	" " " "	05/15/2005
Dr. Ansley Sawyer	Lithgow Lib. Bd. of Trustees	05/05/2006

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

Nays: 0

058 ORDERED, That the Mayor's appointment of William R. Bridgeo of 100 Fairview Avenue to a term on the Board of Trustees of the Augusta Sanitary District is hereby confirmed.

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

Nays: 0

059 ORDERED, That if needed by the contractor to expedite the completion of revitalization work begun last fall and halted for the winter along the northern section of Water Street from Bridge Street up to the entrance of the Edwards Mill site, that the City Council hereby finds it necessary to allow night work along this section of street between the hours of 7:00 p.m. to 5:00 a.m., Sunday through Thursday evenings, from May 19 through June 30, 2003.

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

059 Continued

BE IT FURTHER ORDERED, That the City Council hereby finds it necessary to allow construction work for 10 to 15 nights between the hours of 7:00 p.m. to 5:00 a.m., Sunday through Thursday evenings, between June 1 and August 14, 2003 at the intersection of Boothby, Bond, State Streets and Mt. Vernon Avenue as part of the Boothby Street Sewer and Water Project that will extend briefly into this busy intersection and create extensive traffic disruptions if performed during daytime hours.

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

Nays: 0

061 ORDERED, That the City Manager is hereby authorized to enter into mutual aid fire protection agreements with area municipalities.

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

Nays: 0

Respectfully submitted,

Cheryl A. Frith
City Clerk