

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

June 25, 2004

Minutes of the regular City Council meeting held Monday, June 21, 2004 at 7:00 p.m. Council Chambers, City Center.

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

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

090 BE IT ORDAINED, By the City Council of the City of Augusta, that Chapter 7, Section 1 of the Revised Code of Ordinances 1990, as amended, be deleted and replaced as follows:

WARD I:

Beginning at a point where the centerline of Sewall Street is intersected by the Northerly line of the City of Hallowell; thence Westerly and Northerly along said Northerly line of the City of Hallowell and the Easterly line of the Town of Manchester to the centerline of Bond Brook; thence Easterly and Southerly along the centerline of Bond Brook to where a Northerly projection of the centerline of North Street intersects with said Bond Brook; thence Southerly along said projection and Southerly along the centerline of North Street to the intersection with Bridge Street; thence Easterly along the centerline of Bridge Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the Memorial Bridge; thence Southwesterly along the centerline of the Memorial Bridge and Memorial Drive and Memorial Circle to the intersection of Chamberlain Street; thence Southwesterly and Southerly along the centerline of Chamberlain Street to the intersection with Capitol Street; thence Northwesterly along the centerline of Capitol Street to the intersection with Sewall Street; thence Southwesterly and Southerly along the centerline of Sewall Street to the point of beginning.

WARD II:

Beginning at a point where the centerline of Sewall Street is intersected by the Northerly line of the City of Hallowell; thence Easterly along said Northerly line of the

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

090 Continued

City of Hallowell and continuing across the Kennebec River to the Northerly line of the Town of Chelsea; thence Easterly along said Northerly line of the Town of Chelsea to the Southeastern most corner of Augusta; thence Northerly along the Westerly line of the Town of Whitefield to the Westerly line of the Town of Windsor; thence continuing Northerly along the Westerly line of the Town of Windsor to the centerline of South Belfast Avenue; thence Westerly and Southwesterly along the centerline of South Belfast Avenue to the intersection with Cony Street; thence Westerly along the centerline of Cony Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the Memorial Bridge; thence Southwesterly along the centerline of the Memorial Bridge and Memorial Drive and Memorial Circle to the intersection of Chamberlain Street; thence Southwesterly and Southerly along the centerline of Chamberlain Street to the intersection with Capitol Street; thence Northwesterly along the centerline of Capitol Street to the intersection with Sewall Street; thence Southwesterly and Southerly along the centerline of Sewall Street to the point of beginning.

WARD III:

Beginning at a point on the Manchester Town Line where the same is intersected by the centerline of Bond Brook; thence running Northerly, Westerly and then Northerly along the Manchester Town Line to the Northwesterly most corner of Augusta and the Southerly line of the Town of Sidney; thence Easterly along the said Southerly line of the Town of Sidney to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the centerline of the Father Curran Bridge; thence Westerly along the Father Curran Bridge and Bridge Street to the intersection with North Street; thence Northerly along North Street and continuing along a Northerly projection of North Street to the centerline of Bond Brook; thence Westerly and Northerly along the centerline of Bond Brook to the point of beginning.

WARD IV:

Beginning at a point on the centerline of the Kennebec River where same is intersected by the Southerly line of the Town of Vassalboro; thence Easterly along the Southern

OLD BUSINESS AND TABLED MATTERS (Con't)

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

090 Continued

line of Vassalboro to the Northeasterly most corner of Augusta; thence Southerly along the Westerly line of Windsor to the centerline of South Belfast Avenue; thence Westerly and Southwesterly along the centerline of South Belfast Avenue to the intersection with Cony Street; thence Westerly along the centerline of Cony Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Northerly along the centerline of the Kennebec River to the point of beginning.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

NEW BUSINESS

HAS BEEN READ, FIRST READING

101 WHEREAS, after holding a formal public hearing on the matter, the Augusta Planning Board, at a duly held meeting on April 13, 2004, voted 7 (for) to 1 (against) to recommend to the City Council to rezone eleven parcels of land identified as Lots 6, 7, 8, 10, 11, 12, 13, 14, 49, 58, and 62 shown on Assessor Tax Map 84 from Medium Density Residential District (RB1) to now become Regional Business District (CC); and

WHEREAS, after holding a formal public hearing on the matter, the Augusta Planning Board, at a duly held meeting on April 13, 2004, voted 7 (for) to 1 (against) to recommend to the City Council to rezone the parcel of land identified as Lot 9 shown on Assessor Tax Map 84, as well as all portions of Storey Street, and paper streets formerly known as Representative Drive and Yuill Drive, from Medium Density Residential District (RB1) to now become Regional Business District (CC);

THEREFORE BE IT ORDAINED, by the City Council of Augusta, that land identified as Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 49, 58, and 62 on Assessor Tax Map 84, as well as all portions of Storey Street, and paper streets shown on said tax map and formerly known as Representative Drive and Yuill Drive, be rezoned from Medium Density Residential District (RB1) to Regional Business District (CC).

(FIRST READING, NO VOTE REQUIRED)

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

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 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.

(FIRST READING, NO VOTE REQUIRED)

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

- 092 ORDERED, That minutes of the City Council meeting held June 1, 2004, submitted by the City Clerk be approved.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 093 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$10,200.00.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 094 ORDERED, That Roll of Accounts #11 for the month of May 2004 in the amount of \$4,250,953.54 be approved.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 095 ORDERED, That the report regarding the City's financial position through May 2004 be presented and accepted upon presentation.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 096 ORDERED, That Donald J. Cadwell be reappointed as Assessor of Taxes for two (2) years; said term to expire June 18, 2006.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 097 ORDERED, That Gary Peachey be reappointed to the Augusta Parking District; said term to expire July 18, 2009.
- Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

098 ORDERED, That the City Manager is authorized to expend an amount not to exceed \$40,000 for correction of drainage deficiencies on Alton Road; said funds to be appropriated from Fund Balance.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

099 ORDERED, That the City Manager is authorized to accept a grant from the Maine Department of Transportation in the amount of \$33,075.

BE IT FURTHER ORDERED that the City Manager is authorized to expend \$22,050 in City-issued bond funds as a local match for said grant funds all for the purpose of providing traffic-calming and crosswalk improvements in the West Side Neighborhood.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

100 WHEREAS, the Augusta City Council recognizes the responsibility of the University of Maine Board of Trustees, the System Chancellor, and the University presidents to provide vision, coordination, planning and cost-efficiencies to ensure that Maine taxpayers and tuition-payers receive the maximum benefits from their investment of time and money; and

WHEREAS, the University of Maine System has drafted a Strategic Plan to enable the System's needs and expectations to be addressed for the coming years; and

WHEREAS, the University of Maine at Augusta has played a unique and critical role in providing educational and career development opportunities for the residents of central Maine; and

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

100 Continued

WHEREAS, the creation of an educated workforce is vital to the local economy; and

WHEREAS, the plan contemplates major financial and structural changes that will affect the University of Maine at Augusta,

NOW, THEREFORE BE IT RESOLVED, That the Augusta City Council does hereby strongly encourage the University Board of Trustees to recognize and preserve the unique mission of the University of Maine at Augusta; and

To recognize the place of UMA in providing education for those who may not have considered a college education within their goals because of financial or other resource needs; and

To honor the fact that 90% of UMA students stay in the area and contribute to the local economy; and

That the University preserve this campus as a place where students from Augusta and from surrounding communities can receive the highest quality education that fits with their own personal and career goals; and

That the University utilize a committee of Augusta citizens in the development of the details of the Plan in order to ensure that UMA continues to deliver its own special and unique style of education.

Adopted this 21st day of June, 2004.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

103 BE IT RESOLVED by the Council of the City of Augusta, as follows:

That the City of Augusta become a member of the Maine Municipal Association Property and Casualty Pool, and

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

BE IT FURTHER RESOLVED that the City Manager be authorized to execute any Contract Agreement required for membership on behalf of the City and take whatever other actions as may be necessary.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

104 ORDERED, That the City Council enter into Executive Session to discuss labor negotiations and pending real estate sale negotiations.

Yeas: 8; Sotir, Doore, Veilleux, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk