

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

August 25, 2008

Minutes of the regular City Council meeting held Monday, August 18, 2008 at 7:00 p.m., Council Chambers, City Center.

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

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

133 WHEREAS, the Fire Department of the City of Augusta has requested rapid access be granted to certain types of buildings in the City of Augusta in the event of a fire or medical emergency; and

WHEREAS, the Mayor and Council, having investigated said request, have determined that it would be in the best interest of the City of Augusta and would protect the safety of the people of the City to provide such rapid entry in the event of said emergencies.

THEREFORE BE IT ORDAINED, By the Mayor and City Council of the City of Augusta that the existing language in Chapter 16, Article III, Section 16-58 be deleted and replaced with the following:

PURPOSE

To establish criteria which provides a method by which the Fire Department may gain rapid entry into specific buildings for lifesaving or fire fighting purposes without forcible entry.

APPLICATION

A. This section shall apply to the following types of buildings:

1. All new or existing buildings that require either a fire alarm or fire suppression system by Maine State Fire or Local Life Safety Code.
2. New residential buildings which contain more than six (6) living units and utilize common corridors to access

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

133 Continued

the living units.

3. All existing residential buildings which contain more than twelve (12) living units and utilize common corridors to access the living units.

4. Buildings containing sensitive materials vital to national security or defense are exempt from the above.

B. An existing building shall be considered a new building when:

1. Alterations or repairs are made within any period of twelve (12) months, costing in excess of fifty (50) percent of the physical value of the building before the repairs are made, as determined by the assessor.

2. If the building is damaged by fire or other cause to an extent in excess of fifty (50) percent of the physical value of the building before the damage was incurred and the building is rebuilt as determined by the assessor.

3. If the building is increased in floor area by twenty-five (25) percent or additional stories added.

C. Every building subject to the requirement of this Ordinance shall be equipped with a rapid entry system. The rapid entry system shall be Knox Company. Exceptions are to be approved by the Fire Chief.

D. The Knox rapid entry system shall consist of a key vault containing, but not limited to, keys necessary for entry into the building and controlling emergency systems. The key vault shall be of a type which utilizes the master key system of the City of Augusta Fire Department.

E. The installation of the system shall be subject to the following criteria:

1. The Fire Department or any employee thereof shall not sell rapid entry system products.

2. All costs associated with the installation of the key vault shall be the responsibility of the building owner.

3. The key vault shall be installed in a location determined by the Fire Chief and/or designee.

4. The key vault shall be installed at an easily accessible location. The bottom of the vault shall be no less than five feet nor more than six feet in height

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

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above the finished grade.

5. No key or lock product used in the rapid entry system shall be released from the factory without written authorization of the Fire Chief.

6. For new construction, the key vault location shall be determined during the building plan review by the Fire Chief and/or designee.

F. The building owner and/or occupant shall be responsible for notifying the Fire Department in the event locks or type of occupancy is changed.

COMPLIANCE

All buildings subject to this Ordinance shall be in compliance twelve (12) months after adoption of this Ordinance. The Fire Chief may approve extensions at his discretion.

PENALTY

Any building owner violating the provisions of this Ordinance after receiving due notice from the Fire Department shall be subject to a fine of one hundred (\$100) dollars each month until compliance is achieved.

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

Nays: 0

NEW BUSINESSHAS BEEN READ, FIRST READING

141 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.

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.

NEW BUSINESS (Con't)

HAS BEEN READ, FIRST READING (Con't)

141 Continued

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 ORDAINED, 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. 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 signs become part of the cultural fabric of Augusta.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED, AS AMENDED

139 ORDERED, That the City Manager is authorized to enter into a shared financial services agreement with the Greater Augusta Utility District.

BE IT FURTHER ORDERED, That section 1.1(b) be deleted and replaced with the following:

During the term, all requests for data related to GAUD's finances, including reports and data generated, printed or viewed electronically, shall be directed to the General Manager of GAUD.

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

Nays: 0

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

140 WHEREAS, the City Council was made aware that a segment of University Drive is also referred to as Community Drive; and,

WHEREAS, the properties adjacent to this segment have both University Drive and Community Drive addresses; and,

WHEREAS, having one segment of road with two names creates both a public safety and public convenience problem.

NOW THEREFORE BE IT ORDERED, That the segment of road from its intersection of Civic Center Drive, south approximately 315 feet as shown on the attached image, shall be renamed from University Drive to Community Drive to connect with the current terminus of Community Drive.

This Order will be effective January 1, 2009.

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

Nays: 0

HAS BEEN READ AND PASSED

136 ORDERED, That minutes of the City Council meeting held August 4, 2008, submitted by the City Clerk be approved.

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

Nays: 0

137 ORDERED, That the City Council accept a donation for the Health and Welfare Bureau in an amount totaling \$50.00 from an anonymous donor to benefit those in need as determined by staff of the Health and Welfare Bureau.

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

Nays: 0

138 ORDERED, That the City Council accept a donation of \$29.00 from the Jane Maguire-Tyce family of Augusta, Maine to purchase fire prevention materials.

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

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

138A ORDERED, That Roll of Accounts for the month of July 2008 in the amount of \$5,046,465.05 be approved.

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

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk