

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

November 7, 2003

Minutes of the regular City Council meeting held Wednesday, November 5, 2003 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present except Councilor Veilleux and Councilor O'Brien; Mayor Dowling presided.

Departmental presentation - Bob McGee - Airport Manager

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

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

111 Continued

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: 4; Dowling, Doore, Foster, Koski

Nays: 3; Sotir, Davis, Lund

HAS BEEN READ AND PASSED, FINAL 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

OLD BUSINESS AND TABLED MATTERS (Con't)

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

- 133 Continued
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."

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

NEW BUSINESS

HAS BEEN READ AND PASSED

- 135 ORDERED, That minutes of the City Council meeting held October 20, 2003 submitted by the Acting City Clerk be approved.

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

- 136 ORDERED, That the Voter Registration hourly schedule for open session for the December 2, 2003 Special Municipal Election be scheduled as follows:

Tuesday, November 25, 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: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

- 137 ORDERED, That Paul McClay be appointed to the Augusta Water District; said term to expire November 3, 2006.

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

138 ORDERED, That Kenneth Knight be appointed to the Augusta Sanitary District to fill a vacancy; said term to expire June 1, 2004.

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

139 ORDERED, That the tabulation results for the Municipal Election held November 4, 2003 submitted by the Acting City Clerk be and hereby certified.

BE IT FURTHER ORDERED, That the City Council, having examined certified copies of the records of the wards, do hereby determine and declare that the successful candidates in the Municipal Election are as listed on the Official Results and that said persons be notified in writing of their election in accordance with Article V, Section 9 of the Charter of the City of Augusta.

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

140 ORDERED, That the City Council enter into Executive Session to discuss a real estate matter.

Yeas: 6; Sotir, Doore, Foster, Davis, Koski, Lund
Nays: 0

Respectfully submitted,

Linda Veilleux
Acting City Clerk