

REVISED AGENDA FOR THE CITY COUNCIL MEETING
THURSDAY, MARCH 19, 2015
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.

There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PRESENTATION - Historic Building Plaque to Larry Fleury, owner of the Sprague Textile Mill Worker Housing, circa. 1870. 25 Bond Street, By Lorie Mastemaker, Historic Preservation Commission, Chair and Phyllis von Herrlich, Historic Preservation Commission Member

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA

CONSENT AGENDA

All matters listed under this item will be considered routine and will be enacted by one motion. If a Councilor wishes to discuss one (or more) item(s), Councilor may ask to have the item(s) removed from the Consent Agenda and considered individually.

15-043 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held March 5, 2015, submitted by the City Clerk be approved.

15-043A Mayor Rollins

ORDERED, That Dr. Paul R. Wade be reappointed to the Airport Advisory Committee; said term to expire February 2, 2018.

OLD BUSINESS AND TABLED MATTERS

TABLED

15-042 City Manager

BE IT ORDERED, That the City Manager is authorized to accept the sealed bid on the following tax acquired property:

- 1144 South Belfast Avenue, tax Map 65, Lot 13 in the amount of \$330.00 from Peter and Heather Cunningham.

BE IT FURTHER ORDERED, That the net proceeds from the sale be credited to the reserve for demolition of unsafe structures located in the City.

NEW BUSINESS

15-044 City Manager

BE IT ORDERED. That the City Manager is authorized to accept grant funding in the amount not to exceed \$6,000.00 from Inland Fisheries & Wildlife for the 2015 ATV Enforcement Grant. Grant funding will be utilized to provide directed ATV Enforcement.

15-045 City Manager

ORDERED, That the City Council does hereby adopt the proposed Council goals and actions , as amended in the document dated March 13, 2015, and appended herewith.

15-046 Mayor and Council

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta, that a section of a city street known as Perham Street, description below, no longer of public use and necessity be discontinued, with a public easement retained.

All that part of Perham Street lying southwesterly of Winthrop Street and northeasterly of Court Street as shown on a plan attached hereto labeled Exhibit B and entitled “Plan of Perham Street Discontinuance between Winthrop Street & Court Street, Augusta, Maine”, dated December 20, 2012, by Thayer Engineering Company, Inc., Farmingdale, Maine.

The intent being to discontinue any and all rights that the City of Augusta may have by virtue of acceptance, use or otherwise. According to the Journal of Board of Aldermen, Vol. II, Page 432, dated December 14, 1899, the portion of Perham Street located between Court Street and Winthrop Street was never laid out by nor accepted by the City of Augusta.

The City of Augusta shall retain a public easement over the herein described area, as provided in Title 23, M.R.S.A., Section 3026.

15-047 Mayor and Council

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta, that a section of a city street known as Perham Street, description below, no longer of public use and necessity be discontinued, with a public easement retained.

All that part of Perham Street lying southwesterly of Court Street as shown on a plan attached hereto labeled Exhibit B and entitled “Plan of Perham Street Discontinuance Southwesterly of Court Street, Augusta, Maine”, dated February 2, 2015, by Thayer Engineering Company, Inc., Farmingdale, Maine, and being bounded and described as follows:

Beginning at a ¾-inch iron rod set capped “Thayer Engineering Company” at the intersection of the southwesterly right-of-way line of Court Street, reference City of Augusta Street Records September 10, 1827, with the southeasterly right-of-way line of Perham Street, reference City of Augusta Street Records – Street Book 1833, Pages 98-99 & 121-122, at the northerly corner of land of Maine Governmental Facilities Authority (“MGFA”), reference deed recorded in Kennebec County Registry of Deeds in Book 11836, Page 116 (“11836/116”);

Thence S 33° 59’ 04” W along the southeasterly right-of-way line of Perham Street and the northwesterly line of said land of MGFA and along the northwesterly lines of other lands of MGFA, reference deeds recorded in 11792/35, 11819/282 and 11792/32, a distance of 226.89 feet to an easterly line of land of Kennebec County, reference deed recorded in 1515/600;

Thence N 4° 29’ 11” W along the southwesterly terminus of Perham Street and the easterly line of said land of Kennebec County a distance of 50.00 feet to the northwesterly right-of-way line of Perham Street and the southeasterly line of other land of Kennebec County, reference deeds recorded in 212/98 and 212/94;

Thence N 33° 41' 07" E along the northwesterly right-of-way line of Perham Street and the southeasterly line of said other land of Kennebec County a distance of 187.08 feet to the southwesterly right-of-way line of Court Street;

Thence S 57° 12' 26" E along the southwesterly right-of-way line of Court Street a distance of 32.09 feet to the point of beginning, containing 6,531 square feet, more or less.

Bearings are oriented to a 1987 magnetic north observation as shown on a plan entitled "Plan of Standard Boundary Survey, Key Bank of Central Maine, Former Elks Club Property, 10 Winthrop Street & Court Street, Augusta, Maine", dated October 1988 by Thayer Engineering Company, Inc., Farmingdale, Maine.

The intent being to discontinue the portion of Perham Street that is proposed to be reconstructed by Maine Governmental Facilities Authority as part of the driveways and parking areas to serve the new court house. Easements for access and utilities on the subject portion of Perham Street will be granted to and/or redefined for Greater Augusta Utility District and Central Maine Power Company to protect existing uses.

The City of Augusta shall retain a public easement over the herein described area, as provided in Title 23, M.R.S.A., Section 3026.

15-048 Mayor and Council

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta, that a section of a city street known as Court Street, description below, no longer of public use and necessity be discontinued, with a public easement retained.

That part of Court Street lying southeasterly of Perham Street that is shown on a plan attached hereto labeled Exhibit B and entitled "Plan of Court Street Discontinuance Southeasterly of Perham Street, Augusta, Maine", dated February 2, 2015, by Thayer Engineering Company, Inc., Farmingdale, Maine, and being bounded and described as follows:

Beginning on the northeasterly right-of-way line of Court Street, reference City of Augusta Street Records September 10, 1827, at the westerly corner of land of Maine Governmental Facilities Authority ("MGFA"), reference deed recorded in Kennebec County Registry of Deeds in Book 11117, Page 8 ("11117/8");

Thence S 59° 30' 17" E along the northeasterly right-of-way line of Court Street a distance of 381.00 feet to a ¾-inch iron rod found and the southeasterly terminus of Court Street, being the northwesterly terminus of the portion of Court Street that was discontinued November 11, 1909 by Act of Maine Legislature, Chapter 313;

Thence in a general southwesterly direction along the southeasterly terminus of Court Street along a curve to the left having a radius of 1,005.37 feet through a central angle of 2° 52' 01" an arc distance of 50.31 feet to a point and the southwesterly right-of-way line of Court Street, said point being S 26° 23' 06" W and a chord distance of 50.30 feet from the last mentioned iron rod;

Thence N 63° 12' 26" W along the southwesterly right-of-way line of Court Street a distance of 26.87 feet;

Thence N 57° 12' 26" W along the southwesterly right-of-way line of Court Street a distance of 356.25 feet to the easterly corner of the northeasterly terminus of Perham Street, reference City of Augusta Street Records – Street Book 1833, Pages 98-99 & 121-122;

Thence continuing N 57° 12' 26" W along the southwesterly right-of-way line of Court Street and the northeasterly right-of-way line of Perham Street a distance of 16.05 feet to the centerline of Perham Street;

Thence N 33° 50' 57" E crossing Court Street a distance of 18.51 feet to the centerline of Court Street;

Thence S 58° 21' 44" E along the centerline of Court Street a distance of 13.29 feet;

Thence N 29° 58' 53" E crossing Court Street a distance of 18.77 feet to the point of beginning, containing 17,525 square feet, more or less.

Bearings are oriented to a 1987 magnetic north observation as shown on a plan entitled "Plan of Standard Boundary Survey, Key Bank of Central Maine, Former Elks Club Property, 10 Winthrop Street & Court Street, Augusta, Maine", dated October 1988 by Thayer Engineering Company, Inc., Farmingdale, Maine.

The intent being to discontinue the portion of Court Street that is proposed to be reconstructed by Maine Governmental Facilities Authority as part of the driveways and parking areas to serve the new court house

The City of Augusta shall retain a public easement over the herein described area, as provided in Title 23, M.R.S.A., Section 3026.

15-049 Mayor and Council

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta, that a section of a city street known as Court Street, description below, no longer of public use and necessity be discontinued, with a public easement retained.

That part of Court Street lying between State Street and Perham Street that is shown on a plan attached hereto labeled Exhibit B and entitled "Plan of Court Street Discontinuance, State Street to Perham Street, Augusta, Maine", dated February 2, 2015, by Thayer Engineering Company, Inc., Farmingdale, Maine, and being bounded and described as follows:

Beginning at the intersection of the northeasterly right-of-way line of Court Street, reference City of Augusta Street Records September 10, 1827, with the southeasterly right-of-way line of State Street, at the westerly corner of land of Kennebec County, reference deeds recorded in Kennebec County Registry of Deeds in Book 173, Page 260 ("173/260"), 67/161, 67/91, 65/132, 63/80 and 55/174;

Thence S 59° 30' 17" E along the northeasterly right-of-way line of Court Street and the southwesterly line of said land of Kennebec County a distance of 199.56 feet to a ¾-inch iron rod set capped "Thayer Engineering Company" and the westerly corner of land of Maine Governmental Facilities Authority, reference deed recorded in 11117/8;

Thence S 29° 58' 53" W crossing Court Street a distance of 18.77 feet to the centerline of Court Street;

Thence N 58° 21' 44" W along the centerline of Court Street a distance of 13.29 feet;

Thence S 33° 50' 57" W crossing Court Street a distance of 18.51 feet to the southwesterly right-of-way line of Court Street and the centerline of the northeasterly terminus of Perham Street, reference City of Augusta Street Records – Street Book 1833, Pages 98-99 and 121-122;

Thence N 57° 12' 26" W along the southwesterly right-of-way line of Court Street and the northeasterly right-of-way of Perham Street and the northeasterly line of other land of Kennebec County, reference deeds recorded in 212/98 and 212/94, a distance of 52.58 feet;

Thence N 60° 42' 27" W along the northeasterly line of said other land of Kennebec County a distance of 134.73 feet to the southeasterly right-of-way line of State Street;

Thence N 33° 20' 43" E along the southeasterly right-of-way line of State Street a distance of 37.75 feet to the point of beginning, containing 7,016 square feet, more or less.

Bearings are oriented to a 1987 magnetic north observation as shown on a plan entitled "Plan of Standard Boundary Survey, Key Bank of Central Maine, Former Elks Club Property, 10 Winthrop Street & Court Street, Augusta, Maine", dated October 1988 by Thayer Engineering Company, Inc., Farmingdale, Maine.

The intent being to discontinue the portion of Court Street that is proposed to be reconstructed by Maine Governmental Facilities Authority as part of the driveways to serve the new court house.

The City of Augusta shall retain a public easement over the herein described area, as provided in Title 23, M.R.S.A., Section 3026.

15-050 Mayor and Council

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta, that a section of the right-of-way line of a city street known as Winthrop Street, description below, having conflicting record locations, be redefined as follows:

That part of the right-of-way line of Winthrop Street adjoining land of Maine Governmental Facilities Authority, reference deed recorded in Kennebec County Registry of Deeds in Book 10871, Page 329 ("10871/329"), described as follows:

Beginning at a "P-K" nail set with washer stamped "Thayer Engineering Company" at the easterly corner of land of Kennebec County, reference deed recorded in 67/91, and being at or near the easterly corner of Perham Street, all as shown on a plan attached hereto labeled Exhibit

B and entitled “Plan of Winthrop Street Redefinition adjoining land of Maine Governmental Facilities Authority Easterly of Perham Street, Augusta, Maine”, dated December 20, 2012, by Thayer Engineering Company, Inc., Farmingdale, Maine;

Thence N 29° 58’ 53” E a distance of 23.30 feet to a 4-inch by 6-inch granite monument found 0.7 feet below grade;

Thence S 65° 39’ 21” E a distance of 228.54 feet to the northerly corner of land of 16 Winthrop Street LLC, reference deed recorded in 11163/316, said corner being S 27° 23’ 20” W and 0.65 feet from a 6-inch by 6-inch granite monument found flush with the ground.

Bearings are oriented to a 1987 magnetic north observation as shown on a plan entitled “Plan of Standard Boundary Survey, Key Bank of Central Maine, Former Elks Club Property, 10 Winthrop Street & Court Street, Augusta, Maine”, dated October 1988 by Thayer Engineering Company, Inc., Farmingdale, Maine.

The intent being to redefine the portion of Winthrop Street that is adjoining land of Maine Governmental Facilities Authority, to be in conformance with a plan entitled “Plan Showing Relocation of Winthrop Street, Augusta, Maine, from Water St. to State St.”, dated May 1915 by A.G. Norcross, and to be in conformance with the existing improvements and uses along this section of Winthrop Street.

The City of Augusta shall retain a public easement over the area southwesterly of the herein described redefined right-of-way lines, as provided in Title 23, M.R.S.A., Section 3026.

COMMUNICATIONS

Committee Reports
City Manager’s Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
March 17, 2015 (revised)