

**MINUTES FOR THE REGULAR CITY COUNCIL MEETING
AUGUST 2, 2012
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

All members of the Council were present, except Mayor Stokes; Councilor Paradis presided.

Public Hearing: Relocation of Ward 4 Polling Place for State of Maine General and Municipal Election to be held on November 6, 2012.

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

READ AND TABLED

12-111

WHEREAS, the City Council finds that increasing the likelihood of preserving Augusta's historic buildings contributes positively to Augusta's sense of place and is supported by the 2007 Comprehensive Plan (Volume I, Page 29);

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

Section 6-35 of the Augusta Code of Ordinances be repealed in its entirety and replaced with the attached language.

Motion for passage by: Byron Second by: Rollins
(No vote, item tabled)

Motion to table by: Rollins Second by: Byron
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

OLD BUSINESS AND TABLED MATTERS (Con't)

READ AND PASSED, AS AMENDED, FINAL READING

12-109

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Throughway	Entering Street
Sewall Street	Littlefield Street
Winthrop Street	Wyman Street

North Belfast Avenue
Willow Street
Water Street
King Street
~~King Street~~ South Street
Sherbrook Street
Green Street
Middle Street
Kennison Street
Pearl Street

Hedgenettle Road
Myrtle Street
Laurel Street
South Grove Street
South Grove Street
Windsor Avenue
Pike Street
Caldwell Road
First Avenue
Gedney Street

Motion to amend by: Grant Second by: Byron
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Motion for passage, as amended, by: Bilodeau Second by: O'Brien
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

OLD BUSINESS AND TABLED MATTERS (Con't)

READ AND PASSED, FINAL READING

12-108

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:
That Chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

Throughway	Entering Street
South Belfast Ave	Hatch Hill Road

BE IT FURTHER ORDAINED, That Chapter 18, section 36 Schedule of yield right of way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Throughway	Entering Street
South Belfast Ave	Hatch Hill Road

Motion for passage by: Rollins Second by: Bilodeau
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

12-110

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Weston Street

Parking shall be restricted on the north side from Chapel Street westerly for thirty (30) feet, and from Sewall Street easterly for thirty (30) feet.

Motion for passage by: Bilodeau Second by: Rollins

Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

12-112

WHEREAS, the existing section of the Revised Code of Ordinances, Division 3, Sections 6-291 through 6-306 needs to be updated to protect the infrastructure of the City streets and other properties.

WHEREAS, the Street Superintendent did work with other City staff, did research what other communities use for street opening policies, did develop a revised street opening policies and now recommends the adoption of this revised Division 3 of the Revised Code of Ordinances.

BE IT ORDAINED, That sections 6-291 to 6-299, 6-301 to 6-304 and section 6-306 of Chapter 6, City Services, Article IV Streets and Sidewalks, Division 3 Excavations of the Revised Code of Ordinances be deleted.

BE IT FURTHER ORDAINED, That these deleted sections be replaced with a new section added to the Revised Code of Ordinances that shall read:

Sec. 6-299 Excavation and Street Opening permit required

All excavations within the public rights of way shall require an Excavation and Street Opening permit issued by the Department of Public Works prior to performing any work in the public right of way. All fees, work and other requirements shall conform to the City of Augusta's Excavation and Street Opening Policy.

Sec. 6-300 and Sec. 305 shall remain as currently written.

Motion for passage by: Munson Second by: Emery

Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

NEW BUSINESS

READ AND NOT PASSED

12-117

ORDERED, That the City Manager is authorized to file for intervener status with the State of Maine regarding the award of a natural gas contract by the State for State facilities in Augusta, and that the essence of the City's request to the State shall be to allow for a new bid process which will emphasize the provision of natural gas throughout the Kennebec Valley Region.

Motion to amend by: O'Brien Second by: Byron
Yeas: 4; Byron, Grant, O'Brien, Munson
Nays: 4; Paradis, Rollins, Bilodeau, Emery

Motion for passage by: Byron Second by: O'Brien
Yeas: 1; Byron
Nays: 7; Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson

NEW BUSINESS (Con't)

READ AND PASSED, AS AMENDED

12-121

ORDERED, That the City Manager is authorized to accept the bid from Yvon Doyon, 944 West River Road, Augusta, Maine in the amount of \$15,000 for the sale of the property located at 478 Eight Rod Road.

BE IT FURTHER ORDERED, That the proceeds shall be deposited in the Lithgow Library Capital Construction Fund.

Motion to suspend the rules to add item by: Rollins Second by: Byron
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Motion to amend by: Emery Second by: Paradis
(add: proceeds to Market Square Development Project)
Yeas: 3; Paradis, Bilodeau, Emery,
Nays: 5; Byron, Grant, O'Brien
 Rollins, Munson

Motion to amend by: Rollins Second by: Byron
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Motion for passage, as amended, by: Bilodeau Second by: Paradis
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

NEW BUSINESS (Con't)

READ AND PASSED, SECOND READING WAIVED

12-118

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Riverside Drive:

Parking shall be restricted on the east side at a point seven hundred and eighty (780) feet northerly of Lajoie Street, northerly for a distance of one hundred and five (105) feet.

BE IT FURTHER ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

Riverside Drive:

Parking shall be restricted on the east side at a point seven hundred and eighty (780) feet northerly of Lajoie Street, northerly for a distance of one hundred and five (105) feet.

Motion to Waive Second Reading by: Rollins Second by: Bilodeau
Yeas: 7; Byron, Grant, Paradis,
 Rollins, Bilodeau, Emery, Munson
Nays: 1; O'Brien

Motion for passage by: Rollins Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

12-119

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that a rezoning of Tax Map 33 Lots 208A, 223 and 229 occur as follows:

Amend the Official Zoning Map, to move Tax Map 33, Lot 208A, 223, and 229 from the Business/Institutional/ Professional (BP) zoning district to the adjacent Kennebec Business District 1 (KBD1) zoning District.

Additionally,

Amend Table of Uses 3.6.A.1 to allow “Courts” as a Conditional Use in the Kennebec Business District 1 (KBD1) zoning District.

Motion to Waive Second Reading by: Byron Second by: Emery

Yeas: 8; Byron, Grant, Paradis, O’Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0;

Motion for passage by: Byron Second by: Rollins

Yeas: 8; Byron, Grant, Paradis, O’Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

12-120

WHEREAS, the City Council finds that campus and shopping centers can often be difficult to navigate for users; and

WHEREAS, the City Council finds that ease of navigation on campuses and in shopping centers is an important safety consideration for users;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following amendment be made to the city’s Land Use Ordinance regarding signs (street graphics):

5.1.17.8.3 Directional graphics. A premises, or an occupant of a multi-use building, may display one directional graphic at each entrance or exit not more than two (2) square feet on two-lane streets or highways and on any highway with a posted travel speed less than 35 miles per hour, and not more than four (4) square feet on multi-lane roads and on any highway with a posted travel speed greater than 35 miles per hour. Within a shopping center or campus style development, additional directional signage may be placed at on-site road intersections, which may be up to forty-five (45) square feet, but may not include items of information larger than six (6) inches in height, must have all text in the same font, font size, and color for the entire street graphic with bold and italics in the same font allowed, may not be within one hundred (100) feet of a public road or street, and may not include an electronic message center or changeable copy.

Motion to Waive Second Reading by: Byron Second by: O’Brien

Yeas: 8; Byron, Grant, Paradis, O’Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0;

Motion for passage by: Emery Second by: Bilodeau
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Meeting adjourned at 10:55 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk & Treasurer
August 6, 2012