

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

February 25, 2005

Minutes of the regular City Council meeting held Tuesday, February 22, 2005 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Economic Development and Good Governance by Mary Mayo-Wescott

Public comments were held on items listed on the agenda.

NEW BUSINESS

HAS BEEN READ AND TABLED

034 ORDERED, That Mark O'Brien and Gary Peachey be appointed to the Augusta Development Commission; said terms to expire February 22, 2008.

Yeas: 5; Doore, Gomeau, Lerman,
Davis, Koski

Nays: 3; Sotir, Foster, Lund

HAS BEEN READ AND PASSED, AS AMENDED

037 ORDERED, That the City Council of the City of Augusta schedule a Municipal Special Election to be held June 7, 2005 the second Tuesday in June, or unless the State Legislature schedules a bond issue for a different date in June, the Municipal Special Election will be moved to that date; for the purpose of vote on two City of Augusta referendum questions and any questions that the State of Maine Legislature may submit to the voters at that time.

Upon passage of this Order, the City Clerk is hereby directed to submit the referendum questions on this Order, as follows, to the voters of the City of Augusta:

Question 1: "Shall 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 portions of Storey Street, and paper streets shown on said tax map and formerly known as Representative Drive and Yuill Drive, that were rezoned from Medium Density Residential District (RB1) to Regional Business

NEW BUSINESS (Con't)

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

037 Continued

District (CC) by City Council Order 101 on June 28, 2004 be rezoned back to Medium Density Residential District (RB1)?
STATEMENT OF FACT: Adoption of this question will overturn a City Council Order and return the zoning of the Storey Street area to residential.

Question 2: "Shall the vote on City Council Order #35 which authorized the sale of the site of the current Cony High School to Joseph Boulos and Partners (The Boulos Company) on March 1, 2004 be reversed?"

STATEMENT OF FACT: Adoption of this question will stop the sale of the Cony High School site to the Boulos Company for development as a Hannaford store.

Yeas: 5; Sotir, Doore, Foster,
Lerman, Lund

Nays: 3; Gomeau, Davis, Koski

HAS BEEN READ, FIRST READING

039 BE IT ORDAINED, That for a period of 180 days, Section 3.6.1.2(3)(c)(ii) of the Land Use Ordinance is hereby amended to allow only the following uses: one and two family dwellings, private garages, home occupations, day care homes, accessory residential uses. No other uses will be allowed.

(FIRST READING, NO VOTE REQUIRED)

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

That Chapter 18, section 38 Schedule of one-way streets, of the Revised Code of Ordinances 1990, as amended be further amended by adding:

Melville Street, between Green Street and Western Avenue, south only.

(FIRST READING, NO VOTE REQUIRED)

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

041 BE IT ORDAINED, That the City of Augusta hereby implements an inspection and compliance program for all multi-unit residential rental properties having 4 units or more. For the purpose of this ordinance, the City recognizes the federal Housing and Urban Development (HUD) Section 8 Housing Quality Standards as the housing standard by which units will be inspected for compliance.

Multi-unit properties that have no more than 4 units and which are owner-occupied are excluded from inspection.

Upon the completion of a random selection process, a Code Enforcement Officer will contact the owner of record and/or the occupant of individual dwelling units through written correspondence stating the City's intention to inspect dwelling units. The owner will have 30 days from the date of this notification in which to contact the Code Office and have the inspection completed. Either the owner or the occupant may allow the City access to the housing unit.

If the owner provides documentation to the City within 30 days of notification that the unit has satisfactorily completed a HUD Section 8 inspection within the previous 12 months, the City shall take no further action.

Items found to be in non-compliance with HUD Section 8 Housing Quality Standards will be identified and the owner will be provided with a report stating the findings of the inspection. The owner will have 30 days from the date of the report in which to bring non-compliant items into compliance with HUD Section 8 Housing Quality Standards. Items that pose an immediate risk to health or safety may be required to be brought into compliance sooner than 30 days.

Violations of the City of Augusta Safe and Sanitary Housing Code, resulting from the inspection of the units, will be dealt with in the manner as outlined in the Code of Ordinances.

(FIRST READING, NO VOTE REQUIRED)

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

- 032 ORDERED, That minutes of the City Council meeting held February 7, 2005 submitted by the City Clerk be approved.
- Yeas: 8; Sotir, Doore, Gomeau, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 033 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$1,400.00.
- Yeas: 8; Sotir, Doore, Gomeau, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 035 ORDERED, That Donna Lerman be appointed to the Street Light Review Committee and will serve until she is no longer a member of the City Council.
- Yeas: 8; Sotir, Doore, Gomeau, Foster,
Lerman, Davis, Koski, Lund
- Nays: 0
- 036 ORDERED, That the citizens' petition question (to reverse Order #35: CHS Sale to Boulos) filed with the City Clerk on January 28, 2005 be submitted to the voters of the City of Augusta at the next regular or special municipal election.
- Yeas: 7; Sotir, Doore, Gomeau, Foster,
Lerman, Koski, Lund
- Nays: 1; Davis
- 038 ORDERED, That the City of Augusta approve the submission of a Public Service Grant application on April 8, 2005 to the State Department of Economic and Community Development Community Development Block Grant Program, on behalf of the Bread of Life Ministries, in the amount of \$50,000 for the hiring of a "Self Sufficiency Trainer".
- Yeas: 7; Sotir, Doore, Gomeau, Foster,
Lerman, Koski, Lund
- Nays: 1; Davis

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

042 ORDERED, That the City Council enter into Executive Session to discuss:

- a personnel matter; M.R.S.A., Title 1, Sec. 405 (6)(A)
- pending litigations; M.R.S.A., Title 1, Sec. 405 (6)(E)

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

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk