

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 24, 2008

Minutes of the regular City Council meeting held Monday, October 20, 2008 at 7:00 p.m., Council Chambers, City Center.

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

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

149 WHEREAS, the 2007 Comprehensive Plan for the City of Augusta strongly recommends improved site design along Augusta's gateway roads.

WHEREAS, improved site design has proven to occur best through a public hearing process at the Planning Board level.

WHEREAS, the Planning Board is in the process of re-writing the Land Use Ordinance, but does not anticipate having it completed for Council review and public hearing until late winter.

WHEREAS, projects that occur prior to an anticipated final approval of a new ordinance could have a significant and long-term impact on the gateways.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended as follows:

Amend Section 2.2 of the Augusta Land Use Ordinance

Development: Development means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials; and the storage, deposition, or extracton of materials, public or private sewage disposal systems or water supply facilities.

(1) Major development:

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

149 Continued

a. For parcels that have access to or frontage on the following streets or roads, major development includes any new or redeveloped non-residential or multi-family residential project that creates or redevelops any floor space or impervious surface:

- i. Western Avenue - from I-95 to Memorial Circle
- ii. Memorial Circle
- iii. Cony Circle
- iv. Bangor Street
- v. Riverside Drive - from Bangor Street to Rt 3
- vi. State Street
- vii. Mt Vernon Avenue
- viii. Sewall Street - from Western Avenue to the Hallowell municipal boundary
- ix. Capitol Street
- x. Armory Street
- xi. Winthrop Street
- xii. Leighton Road
- xiii. Stone Street
- xiv. Hospital Street - from Stone Street to Piggery Road
- xv. Cony Street - from Kennebec River to South Belfast Avenue
- xvi. Water Street
- xvii. Northern Avenue
- xviii. Grove Street - from Memorial Circle to Water Street

b. For all parcels not affected by (a) above, a major development is any new or re-developed non-residential or multi-family residential project that disturbs one (1) acre of land or more, or creates or adds to one (1) acre of impervious surface on a parcel. It shall include any multi-family residential or non-residential change of use that affects or disturbs one (1) acre of land or more. Disturbed land includes but is not limited to new impervious surface or any re-development or modification of existing impervious surface.

(2) Minor development: Requiring a permit from the CEO if listed as a permitted use or requiring a permit from the Planning Board if listed as a conditional use.

(NO MOTION TO REMOVE FROM TABLE)

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

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

That Chapter 19, section 19-38 Rates, Schedule of Taxicab Rates, of the Revised Code of Ordinances 1990, as amended, be further amended by adding and deleting as follows:

CHAPTER 19 - SECTION 38

No taxicab operator or taxicab driver shall charge a sum for the use of a taxicab higher than that in accordance with the following rates:

(A) A total of ~~two dollars and fifty cents~~ three dollars and fifty cents (~~\$2.50~~) (\$3.50) for one and one dollar (~~\$1.00~~) for each additional person ten (10) years of age and over, and fifty cents (\$0.50) for each child under ten (10) years of age, from the same point of hire to the same destination.

(3) Rates of travel shall be ~~two dollars and fifty cents~~ three dollars and fifty cents (~~\$2.50~~) (\$3.50) for the first one mile or portion thereof, and ~~seventy five cents~~ one dollar (~~\$0.75~~) (\$1.00) for each 1/2 mile or portion thereof thereafter.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

NEW BUSINESSHAS BEEN READ AND TABLED

182 ORDERED, That the section of Grove Street between Memorial Circle and Water Street shall forthwith be considered a part of and be renamed Water Street. This order shall take effect January 1, 2009.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

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

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

That Chapter 4, ARTICLE II. DOGS AND CATS, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following sentence to the end of paragraph 4-28(b):

Notwithstanding other provisions in this code, any owner or keeper who allows a dog to be in violation of this sub-section shall be subject to a fine of \$100.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

- 178 ORDERED, That minutes of the City Council meeting held October 6, 2008 submitted by the City Clerk be approved.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

- 179 ORDERED, That the following individuals be reappointed:

<u>Name</u>	<u>Committee</u>	<u>Expiration</u>
Charlene M. Hamiwka	Zoning Board of Appeals	Nov 9, 2011
Marc Lacasse	(Heart of Augusta Downtown Rep) Capital Riverfront Improvement District (CRID)	Dec 13, 2009
Roger R. Pomerleau	(Chamber Rep) Capital Riverfront Improvement District (CRID)	Nov 3, 2011

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

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

180 ORDERED, That Thomas F. Doore of 49 Pleasant Hill Road serve as Warden for Ward 2 - City Center replacing Robert Cooper for the upcoming General / Referendum and Municipal Election to be held November 4, 2008.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

181 ORDERED, That the City Manager is authorized to accept grant funding for the Augusta State Airport in the amount of \$550,000 (\$500,000 to acquire airport rescue and firefighting equipment and \$50,000 for airport master plan update - obstruction analysis and preparation of spill prevention control and countermeasure plan) from the State of Maine Department of Transportation with the understanding that no local match is required for these grants.

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

184 ORDERED, That the City Council enter into executive session to discuss:

- labor negotiations; 1 M.R.S.A., Section 405(6)(D)
- an application for abatement of property taxes on account of infirmity or poverty; 1 M.R.S.A., Section 405(6)(F)

Yeas: 7; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk