

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

January 14, 2005

Agenda for the regular City Council meeting to be held Tuesday, January 18, 2005 at 7:00 p.m., Council Chambers, City Center.

PRESENTATION - Capital Read 2005 - Betsy Pohl Lithgow Library Director

PUBLIC HEARING - Application for CDBG Innovative Housing Assistance Grant for \$400,000 to construct 24 units of work force housing in the old CMP building located on Water Street.

PUBLIC HEARING - Malt Liquor License application for Top Form Gym and Racquet Club, Inc, d/b/a Ascona Tennis and Health Club, 23 Leighton Road, Augusta (Order #019)

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.

014 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meetings held January 3 and January 10, 2005 submitted by the City Clerk be approved.

015 Manager
ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$9,350.00.

016 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts #6 for the month of December 2004 in the amount of \$4,674,155.67 be approved.

017 Mayor Dowling
ORDERED, That Terrence McCabe be reappointed to the Augusta Development Commission; said term to expire December 31, 2007.

018 Mayor Dowling
ORDERED, That Robert Corey be appointed to the Planning Board to fill a vacancy; said term to expire January 18, 2008.

OLD BUSINESS AND TABLED MATTERSHAS BEEN READ, FIRST READING

- 182 Mayor Dowling
BE IT ORDAINED, That Chapter 18, Section 41 (b) of the Revised Code of Ordinances 1990 (truck weight limits), as amended be further amended by adding the following:

Edward Street, entire length
Kenneth Street, entire length
Patriek Street, entire length

NEW BUSINESSPART 1 - ORDERS

- 019 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt Liquor License be approved:

Top Form Gym and Racquet Club, Inc, d/b/a Ascona Tennis and Health Club, 23 Leighton Road, Augusta.

- 020 Manager
BE IT RESOLVED, That the Augusta City Council finds that the draft lease agreement prepared by City Staff for the Edge/Spurwink School to occupy the City-owned building abutting Lithgow Library is consistent with Council Order #150, dated October 4, 2004, and the City Manager continues to be authorized to execute said lease.

- 021 Manager (Bureau of Parks and Cemeteries)
ORDERED, That the City Council approve the proposed changes to the Cemetery rules and regulations, deed and fees for the City of Augusta. Refer to the following attachments:

- Opening and closing charges for graves
- Cemetery Lot Prices
- Proposed new conveyance
- Rules and Regulations for Augusta Municipal Cemeteries (Rev. 11/2004)

NEW BUSINESS (Con't)

022 Manager (Police Department)

ORDERED, That the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated Sections 5824(3) & 5826(6) to the transfer of (\$5,770.00), U.S. Currency, Defendant in Rem, or any portion thereof, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of this criminal case, namely, State of Maine v. Franklin F. Arbour, Jr., Kennebec County Superior Court, Docket No. CR-02-381.

023 Manager

ORDERED, That the per capita fee to use the Hatch Hill Solid Waste Disposal and Recycling Facility be revised from \$10.50 per capita to \$15.00 per capita, effective January 1, 2006.

PART 2 - ORDINANCES BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

024 Councilor Sotir

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

That Chapter 6, Section 244. Use of area beside streets, of the Revised Code of Ordinances 1990, as amended, be further amended by revising subsections (a), (b) and (d) as follows:

(a) No person shall use the land area between the outside of the city travel way (wrought way) for vehicles and the legal limits of the public right-of-way on Winthrop Street between the east side of Pleasant Street extended southerly to cross Winthrop Street and Blaine Avenue except for the present city sidewalks, pedestrian walkways to land of adjacent abutters, right-angle driveways to land of adjacent abutters connecting with a private driveway on the abutter's property, ~~ereesent~~ driveways for the benefit of abutters and as described in subsection (e) below. and previously approved, existing crescent driveways for the benefit of abutters.

(b) In any event, no more than fifty (50) percent of the land area between the legal right of way line and the city travel way (wrought way) for vehicles abutting a property shall be used for such purposes by an abutter, or their tenants. Except for previously approved, existing driveways and crescent driveways, driveways for use by an abutter or their tenants shall not exceed twelve (12) feet in width on the land area between the legal right-of-way line and the city travel way (wrought way) for vehicles.

NEW BUSINESS (Con't)

024 Continued

(d) The crescent driveways on Winthrop Street shall be considered driveways. Existing, previously approved, crescent driveways on Winthrop Street shall be considered driveways.

025 Councilor Sotir

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

That Chapter 6, Section 244. Use of area beside streets, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting subsection (e) as follows:

(e) Parking shall be permitted on the entire area between the travel way (wrought way) and the legal limits of the public right-of-way on Winthrop Street between October 15 and April 15. Any damage to unpaved areas shall be repaired by the abutter. All disturbed areas shall be graded and seeded by May 15.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk