

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING
AUGUST 2, 2012
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.

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 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.

12-113 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held July 19, 2012, submitted by the City Clerk be approved.

12-114 Manager (Bureau of Audit Accounts)

ORDERED, That the Roll of Accounts for the month of July, 2012 in the amount of \$4,162,445.67 be approved.

OLD BUSINESS AND TABLED MATTERS

SECOND READING

12-108 Manager (Police Department)

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

12-109 Manager (Police Department)

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	Hedgenettle Road
Willow Street	Myrtle Street
Water Street	Laurel Street
King Street	South Grove Street
King Street	South Street
Sherbrook Street	Windsor Avenue
Green Street	Pike Street
Middle Street	Caldwell Road
Kennison Street	First Avenue
Pearl Street	Gedney Street

12-110 Manager (Police Department)

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.

12-111 Councilors Byron and Rollins

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.

12-112 City Manager

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.

NEW BUSINESS

PART 1 – ORDERS

12-115 Councilors Grant, Munson and O'Brien

ORDERED, That following the public hearing addressing the Ward 4 polling place for the State of Maine General and the Municipal Election to be held November 6, 2012, the City Council accepts the Committee's recommendation that the designated polling place be Cony High School Band Room, ?? Pierce Drive for this election, and;

BE IT FURTHER ORDERED, That the established committee proceed with determining the most convenient, permanent, Ward 4 polling place and submit its recommendation to City Council by December 31, 2012.

12-116 Manager (Community Services)

ORDERED, That the City Council approve the necessary variances as required in the City's Code of Ordinances for Walker International Events Inc. Circus The shows are scheduled for Saturday, August 11, 2012 at 3:00 and 5:30 p.m. at the Buker Community Center field.

12-117 Manager

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.

NEW BUSINESS (Con't)

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

12-118 Manager (Police Department)

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.

12-119 City Council

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.

12-120 City Council

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.~~

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Tina M Charest, Deputy City Clerk /Treasurer
July 30, 2012