****

REGULAR MEETING OF THE CITY COUNCIL

****

AUGUST 4, 2009

CITY COUNCIL CHAMBERS

PRESENT: PAUL R LEPAGE, MAYOR
MIKE ROY, CITY MANAGER

COUNCILORS: CHARLES F. STUBBERT, JR., MARY-ANNE BEAL,ROSEMARY WINSLOW, DANA SENNETT, CHAIR, JOHN O'DONNELL, THOMAS LONGSTAFF AND CARL S BASGALL

REGULAR MEETING
7:00 P.M.

APPROVAL OF CONSENT AGENDA

REGULAR MEETING CONSENT AGENDA AUGUST 4, 2009

MINUTES

APPROVAL OF JULY 21, 2009

RESOLUTION NO 90----ROLL OF ACCOUNTS NO 15

Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

UNFINISHED BUSINESS

ORDER 31-AN ORDER PROVIDING FOR SALE OF TAX ACQUIRED PROPERTY (55 SUMMER ST)

WHEREAS, the City acquired a single family residential building located at 55 Summer Street in 2008; and

WHEREAS, the former owner was provided due notice as required by City ordinance; and

WHEREAS, the property has numerous code/safety and health violations; and

WHEREAS, the KVCAP agency has proposed a renovation plan to correct all violations and to make the property available as an affordable housing residence;

NOW THEREFORE, BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT the City sell the property for ~~$18,700~~ ~~$~~ $21,780. and that the City Manager be authorized to sign all paperwork to complete the sale and that said funds be deposited in the Capital Improvement Reserve Fund..

Order Read in Full
Longstaff Moved to Adopt and Override Veto
Sennett Seconded the Motion
Vote in Favor: Beal, Winslow, Sennett, O'Donnell, Longstaff and Basgall
Vote to Oppose: Stubbert
Vote to Abstain: None
Vote to Override Veto: (6-1-0)

ORDINANCE 05 AN ORDINANCE PROVIDING FOR REPEAL OF ORDINANCE 13-1989 AND ACCEPTANCE OF ZONING ORDINANCE

BE IT ENACTED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT Ordinance 13-1989 be repealed.

AND THAT an ordinance titled, Zoning Ordinance, a copy of which is available on the City web page at www.waterville-me.gov, be adopted and further that the City Solicitor be

authorized to prepare, in summary form, a publication notice of said ordinance.

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Ordinance Read by Title Only
Longstaff Moved to Postpone to August 18th Meeting
Winslow Seconded the Motion
Vote: All in Favor (7-0)

ORDER 35-AN ORDER PROVIDING FOR TAX INCREMENT FINANCING DISTRICT - GILMAN PLACE

BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

WHEREAS, the City of Waterville (the City) is authorized pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the City as Affordable Housing Development Districts (the District) and to adopt a development program (the Development Program) for the District; and

WHEREAS, the City has held a public hearing on the question of establishing the District, in accordance with the requirements of 30-A M.R.S.A. Subsection 5250, upon at least ten (10) days prior notice published in the Central Maine Morning Sentinel, a newspaper of general circulation within the City; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine State Housing Authority (the Authority) approving the designation of the District and the adoption of the Development Program for the District; and

WHEREAS, at least 25% of the property within the District is suitable for residential use, and in need of rehabilitation or redevelopment; and

WHEREAS, the City's TIF Advisory Committee has reviewed the proposed TIF District for Gilman Place and find it to be in conformance with the City's TIF Policy;

NOW THEREFORE, the City Council hereby finds and determines that:

1. The designation of the District and pursuit of the Development Program will create affordable, livable

housing within the City of Waterville, and therefore constitutes a good and valid public purpose.

2. Pursuant to Chapter 206, subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City Council hereby designates the Gilman Place Affordable Housing Development District as more particularly described in the documents presented to the City Council in the form attached hereto.

3. Pursuant to the provisions of 30-A M.R.S.A., Subsection 5250-A, the percentage of captured assessed value to be retained in accordance with the Development Program is to be established as set forth in the Development Program.

4. The City Manager be and is hereby authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the Maine State Housing Authority for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, subchapter 3.

5. The City Manager be and is hereby authorized and empowered at his discretion from time to time to make such revisions to the Development Program for the District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the District by the Maine State Housing Authority, or for any other reason so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

6. The foregoing designation of the District and the adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City Council of approval of the designation of the District and adoption of the Development Program by the Maine State Housing Authority, without requirements of further action by the City, the City Council or any other party.

7. The City Manager be and is hereby authorized to create a Municipal Project Cost Account, as contemplated by the Development Program in the name of and on behalf of the City, such Account to be in such form and to contain such terms and provisions, not inconsistent with the Development Program and

this Order, and a percentage of the proceeds of the Municipal Project Cost account, as specified in the Development Program, shall be used to defray operating expenses for eligible projects within the District, consistent with the Development Program. Said Development Program and Account to be reviewed and approved by the City Solicitor or his designee.

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Order Read by Title Only
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Hold Third and Final Reading by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Order Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbert Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote (7-0)			

NEW BUSINESS

RESOLUTION 91-A RESOLUTION PROVIDING FOR APPROVAL OF INTERNET, E-MAIL AND FILE RETENTION POLICY

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the attached Internet, E-mail and File Retention Policy be adopted.

AMENDMENT: An amendment to add the following bulleted items to the Electronic Document Retention section: "Any document that is required to be retained according to the standards set forth in Chapter 10 of the State of Maine Rules for Disposition of Local Government Records will be kept on file in paper form for the amount of time required by law."

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Longstaff Moved to Amend as shown above
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Adopt as Amended
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 92-A RESOLUTION PROVIDING FOR AUTHORIZATION TO HIRE CONTRACTOR FOR QUARRY ROAD RIVER LOOP TRAIL

WHEREAS, Park and Recreation staff issued a Request For Proposals (RFP) and received bids in accordance with the City's Purchasing Ordinance;

NOW THEREFORE BE IT HEREBY RESOLVED by the City Council of the City of Waterville as follows:

THAT, the City Manager be authorized to hire Applied Forestry for the amount of $42,300 to construct a 4.5K Trail between Quarry Road and Messalonskee Stream with the understanding that the funds for said project will come from grants and donations.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote in Favor: Beal, Winslow, Sennett, O'Donnell, Longstaff and Basgall
Vote to Oppose: Stubbert
Vote to Abstain: None
Vote: (6-1-0)

RESOLUTION 93-A RESOLUTION PROVIDING FOR BID AWARD - PAVEMENT CRACK SEALING PROGRAM

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal

officers, as follows:

THAT the City hereby accept the low bid of twenty two thousand, five hundred forty dollars and no cents ($22,540.00) from Sealcoating, Inc. of Hingham, MA to perform pavement crack sealing on specified streets and municipal parking lots.

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 94-A RESOLUTION PROVIDING FOR BID AWARD - DUAL AXLE CAB & CHASSIS WITH SIDE DUMP SANDER & PLOW PACKAGE

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the City be hereby authorized to award a bid for a Dual Axle Cab & Chassis with Side Dump Sander and Plow Package to C. B. International of Hermon, Maine, in the amount of one hundred fifty one thousand, one hundred, nineteen dollars and seventy three cents ($151,119.73).

Resolution Read in Full
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 95-A RESOLUTION PROVIDING FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE LIBRARY RENOVATION PROJECT

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT, the City Manager be authorized to hire Jacob Kendall as the Construction Manager for the Waterville Public Library Renovation Project in the amount not to exceed $ 40,000 and that the contract for said services be in a form and content acceptable to the City Solicitor.

Resolution Read in Full

Sennett Moved to Adopt
Winslow Seconded the Motion
Stubbert Moved to Amend as shown above
O'Donnell Seconded the Motion
Vote: All in Favor (7-0)
Sennett Moved to Adopt as Amended
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 96-A RESOLUTION PROVIDING FOR REFERENCE TO THE PLANNING BOARD BY THE CITY COUNCIL: AN AMENDMENT TO THE ZONING MAP (208 COLLEGE AVE)

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal Officers and in accordance with Article 7, Section 7.1, of the Zoning Ordinance, to refer to the Planning Board for public hearing and recommendation a request for rezoning.
The request is to rezone Assessor Map 68, Parcel 102, from Commercial-C (C-C) to Commercial-A (C-A) zoning. Commercial-A zoning, which has no building setback requirements, is necessary to facilitate the expansion of the Coastal Med Tech Inc building to increase storage space.
That parcel, located at 208 College Avenue and owned by YRAM LLC, is found on the Property Map of the City of Waterville dated April 1, 1992, as updated on April 1, 2009.

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Resolution Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 97-A RESOLUTION PROVIDING FOR REFERENCE TO THE PLANNING BOARD BY THE CITY COUNCIL: AN AMENDMENT TO THE ZONING MAP (66 RIDGE RD)

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal Officers and in accordance with Article 7, Section 7.1, of the Zoning Ordinance, to refer to the Planning Board for public hearing and recommendation a request for rezoning.

The request is to rezone Assessor Map 73, Parcel 20, from Residential-A (R-A) to Contract Zoned District/Residential-B (CZD/R-B). The conditions of the contract are as follows:

1. The only uses allowed are a single family home and a daycare center serving no more than twelve (12) children.

2. The dimensional requirements of the Residential-A zone apply.

3. Only one sign, a maximum of 2 feet by 3 feet and setback a minimum of 15 feet from the front property line, is allowed.

That parcel, located at 66 Ridge Road and owned by Jon and Tammi Harding, is found on the Property Map of the City of Waterville dated April 1, 1992, as updated on April 1, 2009.

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Resolution Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

RESOLUTION 98-A RESOLUTION PROVIDING FOR REFERENCE TO THE PLANNING BOARD BY THE CITY COUNCIL: AN AMENDMENT TO THE ZONING MAP (68 WESTERN AVE)

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal Officers and in accordance with Article 7, Section 7.1, of the Zoning Ordinance, to refer to the Planning Board for public hearing and recommendation a request for rezoning.
The request is to rezone Assessor Map 43, Parcel 267, from Residential-B (R-B) to Contract Zoned District/Commercial-A (CZD-CA). The conditions of the contract are as follows:

1. The only permitted use is an office for a ~~roofing~~ masonry company.

2. For any addition or replacement structure, the dimensional requirements of the Residential-A (R-A) zone apply.

3. Only one sign, a maximum of 3 feet by 4 feet and setback a minimum of 15 feet from the front property line, is allowed.

4. No outside storage of materials is allowed.

That parcel, located at 68 Western Avenue and owned by Laurie Cothran, is found on the Property Map of the City of Waterville dated April 1, 1992, as updated on April 1, 2009.

Sennett Moved to Read by Title Only
Winslow Seconded the Motion
Vote: All in Favor (7-0)
Resolution Read by Title Only
Sennett Moved to Adopt
Winslow Seconded the Motion
Vote: All in Favor (7-0)

ORDER 36-AN ORDER PROVIDING FOR AUTHORIZING THE CITY MANAGER TO ENTER INTO LEASE AGREEMENTS FOR AIRPORT HANGARS

BE IT ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT the City Manager be authorized to execute Standard Lease Agreements at the Robert LaFleur Municipal Airport for Fiscal Year 2009-2010, and;

BE IT FURTHER ORDERED THAT, the initial land lease rate shall be established at ten cents per square foot.

Order Read In Full
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)

ORDER 37-AN ORDER PROVIDING FOR NAMING A PRIVATE ROAD IN THE CITY OF WATERVILLE

BE IT ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT the following street name be assigned to a private road in the City of Waterville, as requested by the property owner:
Walbern Drive, located off of Eight Rod Road on Assessor Map 16, Parcel 80-2.
This private road, which was approved by the Planning Board, will provide access to a single family home.

Order Read In Full
Sennett Moved to Accept
Winslow Seconded the Motion
Vote: All in Favor (7-0)

The Mayor announced the appointment of Molly Bofia as Public Library Trustee. Her term will expire in 2013.
Vote to Accept: Stubbert, Winslow, Sennett, O'Donnell, Longstaff and Basgall
Vote to Oppose: None
Vote to Abstain: Beal
Vote: (6-0-1)

There being no further business the meeting was adjourned.

A True Copy Attest

_____
City Clerk