There was a pre-meeting of the City Council in Conference Room A at 6:30 p.m.

Present:  Councilors Alexander, Conti, Judkins, LaRochelle, Lind, Michaud, Pouliot and Mayor Rollins
Absent:  Councilor Grant

PRESENTATION:  FY 2019 Audit Review

PUBLIC HEARING:  Demolition of 43 Patterson Street

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:

CONSENT AGENDA:

20-028       City Manager (Bureau of City Clerk)
BE IT ORDERED, that the minutes of the City Council Business Meeting held February 6, 2020 submitted by the City Manager’s office be hereby approved.

20-029       Mayor Rollins
BE IT ORDERED, that Peter Pare be reappointed to the Planning Board, said term to expire February 19, 2023.

20-030       Mayor Rollins
BE IT ORDERED, that Michael Hall be reappointed to the Historic District Review Board, said term to expire February 20, 2023.

Motion for passage of the Consent Agenda orders 20-028 to 20-030
By: Lind    Second by: LaRochelle
Yeas: 7
Nays: 0

NEW BUSINESS    PART 1- ORDERS AND RESOLVES

20-031       Mayor and Council
BE IT ORDERED, that the City Council hereby adopts the “Final Draft 2020 City Council Goals and Strategies” and does authorize the City Manager to take all appropriate executive actions to advance their timely accomplishment.

Motion for passage of order 20-031
By: Lind    Second by: Alexander
Yeas: 7
Nays: 0
BE IT ORDERED, that the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated, Section 5824(3) & 5826(6) to the transfer of $6,260.00 or any portion thereof to the Augusta Police Department, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of the criminal case, namely, State of Maine vs. Alex Kanaris.

Motion for passage of order 20-032
By: Lind Second by: Pouliot
Yeas: 7
Nays: 0

WHEREAS, it came to the attention of the City of Augusta that the building located at 43 Patterson Street, Augusta, Tax Map 42, Lot 75, was extremely structurally unstable and an immediate threat to public safety, requiring the City to take steps to protect the public on February 13, 2020, and

WHEREAS, the City’s Code Enforcement Officer has found, upon inspection of the building, that:

1. The granite foundation on both sides of the house has collapsed.
2. There is clear evidence of the house shifting downhill based on what’s left of the foundation leaning, the entire gable end of the house racking downhill, and the side walls bowing and waving again toward the downhill.
3. Inside the building the center carrying beam for the second floor was unsupported and an internal load bearing wall had clearly been removed.
4. James Coffin, structural engineer, inspected the building and confirmed the above findings and determined the building was structurally unsound.

WHEREAS, the City Council on February 20, 2020 held a hearing pursuant to 17 M.R.S.A. § 2851;

WHEREAS, Owner James A. Trainor was duly notified of said hearing pursuant to 17 M.R.S.A. § 2851; and

WHEREAS, the City’s Code Enforcement Officer testified at the hearing as to his findings regarding the building, as stated above;

Motion to Suspend Further Reading of 20-033
By: Lind Second by: Pouliot
Yeas: 7
Nays: 0

NOW THEREFORE, the City Council hereby ORDERS, that:

5. The City Council accepts the findings of the Code Enforcement Officer as stated above as true and hereby accepts said findings as its own.
6. The building located at 43 Patterson Street, Tax Map 42, Lot 75 is hereby declared a “dangerous building” that is:
   a. Structurally unsafe and unstable
   b. Unsanitary
   c. Unsuitable for occupancy, and
d. Constitutes a health or safety hazard because of inadequate maintenance, dilapidation, obsolescence or abandonment

AND, THEREFORE, the above-mentioned property is adjudged to be a dangerous nuisance.

7. For the above reasons, the City Council ORDERS that the building located at 43 Patterson Street shall be removed in a safe and sanitary way, in consultation with the City’s Code Enforcement Officer and in compliance with all relevant City and State laws, WITHIN 30 60 DAYS OF THE DATE OF THIS ORDER.

8. If said building is not removed by the stated date, the City or its properly engaged agents or contractors shall enter the property and remove the building. All expenses relating to the removal of the building and abatement of the nuisance shall be repaid to the City by the owner within 30 days after the City’s demand, or a special tax shall be assessed against the land on which the building was located for the amount of the expenses, and that amount shall be included on the next annual warrant to the Tax Collector for collection and collected in the same manner as other City taxes are collected. Expenses to be recovered shall include, but are not limited to, the cost of title searches, location reports, service of process, reasonable attorney's fees, costs of removal of the building, any costs incurred in securing the building pending its removal and all other costs incurred by the City that are reasonably related to the removal of the building. The City shall also reserve the right to collect any expenses through a civil action.

9. An appeal of this Order may be made to the Kennebec County Superior Court, pursuant to M.R. Civ. P. 80B, within 30 days of the date of the Order.

Motion to amend order 20-033 to reflect a change in item number 7 from 30 days to remove building debris to 60.

By: Conti  Second by: Lind
Yea: 7  Nays: 0

Motion for passage of order 20-033 as amended

By: Lind  Second by: Judkins
Yea: 7  Nays: 0

20-034  City Manager

BE IT ORDERED, that the City Clerk is hereby directed to prepare the necessary notice of election and ballots for a special municipal election to be held on Tuesday, June 9, 2020 for the purpose of filling a vacancy on the Board of Education, Ward 3 position, term to expire December 31, 2021.

Motion for passage of order 20-034

By: LaRochelle  Second by: Pouliot
Yea: 7  Nays: 0
COMMUNICATIONS

Committee Reports
City Manager’s Report

20-035  City Manager
Executive Session:  Real Estate Matter; 1 M.R.S.A. §405(6)(C)

Motion to enter into Executive Session at 7:45
By:  Conti     Second by: Lind
Yeas:  7
Nays:  0

Motion to Adjoun at 8:10 PM
By: Alexander     Second by: Michaud
Yeas:  7
Nays:  0

Loretta Lathe, Executive Assistant
March 2, 2020