

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 12, 2006

Agenda for the regular City Council meeting to be held Monday, October 16, 2006 at 7:00 p.m., Council Chambers, City Center.

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.

PROCLAMATION - White Cane Safety Day

PROCLAMATION - Augusta Food Bank

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.

- 158 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held October 2, 2006 submitted by the City Clerk be approved.
- 159 Manager
ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$1,550.00.
- 160 Manager (Department of Community Services)
ORDERED, That the City Council accept various donations for the Augusta Recreation Bureau Youth Football Program in an amount totaling \$5,000.00.
- 161 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts for the month of September 2006 in the amount of \$7,554,167.24 be approved.
- 162 Mayor Dowling
ORDERED, That Councilor Michael Byron be reappointed to the Maine Municipal Association Legislative Policy Committee; said term to expire June 30, 2008.
- 163 Mayor Dowling
ORDERED, That Dr. Paul R. Wade be appointed to the Airport Advisory Committee; said term to expire October 16, 2009.

164 Manager (Bureau of City Clerk)
 ORDERED, That the Voter Registration hourly schedule for open session for the November 7, 2006 General/Referendum and Municipal Election be as follows:

Thursday, November 2, 2006 from 1:00 p.m. to 6:00 p.m.

The intent of this order is to change the evening session time in accordance with M.R.S.A., Title 21-A, Section 122(8), as amended.

165 Manager (Bureau of City Clerk)
 ORDERED, That Barbara Savoy of 201 Leighton Road serve as Constable for Ward 1, replacing Clyde LeClair; and, Mary Louise LaChance of 8 High Ridge Road serve as Constable for Ward 3, replacing Gloria Morrissette for the upcoming November 7, 2006 General/Referendum and Municipal Election.

NEW BUSINESS

PART 1 - ORDERS

166 Manager (Department of City Services)
 ORDERED, That pursuant to Council Order #152, passed October 3, 2005, defining the City's policy regarding the plowing and sanding of private roads, the City hereby accepts public easements from the property owners of:

Allenwood Park Road

Please see attached for list of all property owners giving easements to the City.

167 Manager (Department of Community Services)
 WHEREAS, the City of Augusta, Maine has set as a goal that Augusta be a safe and healthy place to live and work; and

WHEREAS, tobacco use is the single most preventable cause of death and disease in the United States, as well as in Augusta, Maine; and

WHEREAS, secondhand smoke contains many harmful chemicals and cancer-causing agents, and is a serious health risk to humans, especially infants, children and pregnant women; and increases a non-smoker's risk for asthma, heart disease and lung cancer; and

NEW BUSINESS (Con't)

167 Continued

WHEREAS, chewing tobacco contains many harmful chemicals and cancer-causing agents, and their use is associated with cancers of the mouth, gums, tongue and throat; and

WHEREAS, the use of chewing tobacco is associated with saliva, or spit, being cast upon the ground, seating areas and other surfaces in recreational settings; and

WHEREAS, tobacco use in and around the City of Augusta Parks and Recreation facilities sends contradictory messages to young people in being encouraged to participate in activities beneficial to their health, while at the same time being exposed to the use of tobacco products and secondhand smoke; and

WHEREAS, the purpose of the City of Augusta Parks and Recreation Department is to provide quality recreation and leisure experiences that enhance the quality of life for the City of Augusta, including providing a safe environment for these experiences; and

WHEREAS, tobacco-use and exposure to secondhand smoke are contrary to enhancing the quality of life and providing safe environments;

NOW, THEREFORE BE IT RESOLVED, that the City of Augusta does hereby declare that its Parks and Recreation facilities are tobacco-free zones and specifically restricts the use of any tobacco product, including, but not limited to cigarettes, cigars, and chewing tobacco, on, in or at any athletic facility, playground, or assembly area under the authority of the City of Augusta Parks and Recreation Department.

BE IT FURTHER RESOLVED, that the Department of Parks and Recreation is authorized to take reasonable steps such as signage and other communication tools to achieve voluntary compliance with the tobacco-free zone established hereunder.

168 Manager

ORDERED, That the City Manager is hereby authorized to apply to the State of Maine for homeland security funding in the amount of \$230,000. Said funds to be applied as follows:

Emergency back-up generator for Cony High School - \$100,000
Emergency back-up generator for Department of Public Works complex - \$60,000

NEW BUSINESS (Con't)

- 168 Continued
Reverse 911 communications equipment - \$30,000
Fire Department emergency equipment - \$20,000
Police Department emergency equipment - \$20,000
- 169 Mayor Dowling and Councilors Doore and Coffin
ORDERED, That \$60,000 be appropriated from the City's
undesignated fund balance to offset the cost of construction
of a new softball field at the new Cony High School.

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

- 170 Manager (Department of City Services)
WHEREAS, the City Council of Augusta desires to modify the
boundary of the Institutional, Business, and Professional
Subdistrict (BP) and allow Historical Societies as a
Conditional Use in the BP subdistrict.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City
of Augusta that the following changes be made to the Augusta
Land Use Ordinance:

Amend Section 2.2 (Additional Definitions) of the Land Use
Ordinance to include the following definition in proper
alphabetical order:

Historical Society - A non-profit membership organization
dedicated to the preservation of historical documents,
material and artifacts and promoting an increased awareness of
these items. Such organizations often make historical
documents, material and artifacts available to the wider
public by providing research opportunities, museums and
display areas, interpretive programs, lecture series at their
site, and other accessory uses, sometimes for a fee.

And;

Amend Section 3.6.1.2.2.b (Uses and Dimensional Requirements)
of the Land Use Ordinance to include Historical Society as a
Conditional Use in the Institutional, Business, and
Professional Subdistrict (BP).

And;

Amend the Official Map for the City of Augusta to change the
zoning on the Assessor's Map 28, Lot 98 from Medium Density

NEW BUSINESS (Con't)

- 170 Continued
Residential (RB2) to Institutional, Business, and Professional
Subdistrict (BP): Map 28, Lots 98.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk