

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 12, 2007

Agenda for the regular City Council meeting to be held Tuesday, October 16, 2007 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 - Childrens Center Day

PROCLAMATION - White Cane Safety Day

PUBLIC HEARING - Consolidation of voting wards for 2008 School Consolidation and School Budget Elections  
(Order #201)

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.

- 195     Manager (Bureau of City Clerk)  
          ORDERED, That minutes of the City Council meeting held October 1, 2007 submitted by the City Clerk be approved.
- 196     Manager  
          ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$1,000.00.
- 197     Manager  
          ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$2,815.00.
- 198     Manager (Bureau of Audit Accounts)  
          ORDERED, That Roll of Accounts for the month of September 2007 in the amount of \$5,529,282.56 be approved.
- 199     Mayor Katz  
          ORDERED, That Thomas R. Johnson be reappointed to the Augusta Parking District; said term to expire October 19, 2012.

OLD BUSINESS AND TABLED MATTERSHAS BEEN READ AND TABLED

131 Mayor Katz and Councilor Gomeau

WHEREAS, commercial blasting and use of explosives for purposes of quarrying mineral extraction and the production of construction materials have been occurring frequently in the City of Augusta, and whereas numerous reports of property damage resulting from such blasting have been communicated to the City, and

WHEREAS, current City of Augusta Ordinances are inadequate to effectively regulate and prevent serious public harm and property damage which may occur as a result of blasting in the City, and

WHEREAS, City Staff is aware of planned blasting in the vicinity of residential homes in the City, and

WHEREAS, the City Council has appointed a Committee to draft a new Ordinance regulating blasting, which has not completed its work, and

WHEREAS, the City Council needs additional time to complete the process of enacting a new Ordinance regulating blasting.

NOW THEREFORE, The Council hereby ORDERS that a moratorium be enacted effective as of the date of passage by Council which prohibits all commercial blasting and use of explosives for the purpose of mineral extraction, quarrying or the production of construction materials within 2000 feet of a residence.

This moratorium will expire in one hundred eighty (180) days from the date of passage or upon the effective date of enactment of a new Ordinance regulating blasting, whichever occurs first.

NEW BUSINESSPART 1 - ORDERS

200 Manager (Police Department)

ORDERED, That the City Council accept the donation of a Police Dog bullet proof vest valued in the amount of \$850.00 from the Maine Vest-a-Dog, for the Augusta Police Department K-9 program.

NEW BUSINESS (Con't)

## 201 Councilors Doore and Rollins

ORDERED, That following the public hearing for the purpose of consolidating the City's four (4) voting wards for any 2008 School Consolidation and/or School Budget Elections held on dates separate from Primary, General or Municipal Elections, that the ward boundaries for Wards 1, 2, 3 and 4 as described in Chapter 7, Section 1 of the Augusta Code of Ordinances be consolidated into one (1) ward, and

BE IT FURTHER ORDERED, That for voting purposes for any 2008 School Consolidation and/or School Budget Elections held on dates separate from Primary, General or Municipal Elections, the designated voting place shall be City Center, 16 Cony Street, Augusta.

BE IT FURTHER ORDERED, That the City Clerk file this order and required certificate as required by M.R.S.A, Title 21-A, Section 631.

## 202 Councilor Coffin

ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$77,165.26 for Security Upgrades and USDA Wildlife Assessment, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$5,111.00 for Grant Application and Administration, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$4,834.00 for Airport Layout Plan, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Department of Homeland Security grand funds in the amount of \$513,364.43 for Law Enforcement Officer Reimbursement (5 Year term).

## 203 Mayor Katz

ORDERED, That the November 7, 2007 City Council meeting be moved to Thursday, November 8, 2007. The change is necessary due to a School Board Meeting scheduled for November 7, 2007.

## 204 Councilor Gomeau

ORDERED, That the City Manager is authorized to execute a purchase and sale agreement between the City of Augusta and George Williams, III and Thomas Williams for approximately 100 acres of land known as the Great Sidney Bog parcel, City

NEW BUSINESS (Con't)

204 Continued  
Assessor's Map 1, Lot 46, in the amount of \$15,000.

BE IT FURTHER ORDERED, That \$15,000 be appropriated from the City's Undesignated Fund Balance for said purchase, and

BE IT FURTHER ORDERED, That the City attorney shall review and approve as to form all necessary documents required for this transaction.

205 Manager (Bureau of City Clerk)  
ORDERED, That Christos Karagiannes of 813 Riverside Drive serve as Constable for Ward 4 replacing William Hanlon for the upcoming State of Maine Referendum and Municipal Election to be held November 6, 2007.

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

206 Manager (Police Department)  
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

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 deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
Union Street	Columbia Street

207 Manager (Police Department)  
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

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 deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
State Street	Union Street

208 Manager (Police Department)  
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be

NEW BUSINESS (Con't)

208 Continued  
 further amended by deleting the following:

Throughway  
 Winthrop Street

Entering Street  
 Commercial Street

209 Manager (Police Department)  
 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

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  
 Commercial Street

Entering Street  
 Bridge Street (easterly)

210 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  
 Winthrop Street

Entering Street  
 Commercial Street

211 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  
 Union Street

Entering Street  
 Columbia Street

212 Councilor O'Brien  
 BE IT ORDAINED, By the City Council of the City of Augusta that the following contract rezoning be approved:

The lots known as Assessor's Map 48, Lot 3 and 3B, shall be Contract Zoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be the Capitol Commerce (CC) district with the following

NEW BUSINESS (Con't)

212 Continued  
restriction: 1)Use of the lots shall be One Family Dwelling;  
Home Occupation; Retail sales of pool tables, other table  
games, and accessories; and Public Recreational Areas,  
Facilities, and Parks.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell  
City Clerk