

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

July 7, 2005

Agenda for the regular City Council meeting to be held Monday, July 11, 2005 at 7:00 p.m., Council Chambers, City Center.

NO PRE-MEETING WILL BE HELD.

PRESENTATION - Kyle Poulin, the 2005 Recipient of the Edwards Dam Scholarship

PUBLIC HEARING - Malt Liquor License application for Zhang's 888, d/b/a Great Wall Buffet, 1 Anthony Avenue (Order #108)

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.

102 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held June 20, 2005 submitted by the City Clerk be approved.

103 Manager
ORDERED, That Roll of Accounts #12 for the month of June 2005 in the amount of \$6,099,189.30 be approved.

104 Manager (Department of Community Services)
ORDERED, That the City Council accept a donation of \$200.00 from Getting Healthy, A Healthy Partnership/MaineGeneral, to purchase "healthy" snacks.

105 Mayor Dowling
ORDERED, That Constance Packard be appointed to the Tree Board to fill a vacancy: said term to expire July 11, 2008.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

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

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

040 Continued
 That Chapter 18, section 38 Schedule of one-way streets, of the Revised Code of Ordinances 1990, as amended be further amended by adding:
 Melville Street, between Green Street and Western Avenue, south only.

HAS BEEN READ, FIRST READING

101 Manager
 BE IT ORDAINED, By the City Council of Augusta, that the text of Section 3.4.2 of the Land Use Ordinance, dealing with Lots Divided by Zoning, is hereby amended by eliminating existing language which is shown below in strikethrough, and by adding new language shown below in underscore, as follows:

3.4.2 Division of Lots by Zoning

~~Except in shoreland districts~~ In all zoning districts, where a zoning district boundary line divides a lot or parcel of record at the time such line is adopted, the land use and dimensional requirements for each separately zoned portion of that lot shall be as allowed by the applicable zoning district requirements for that portion of that lot. ~~applicable to the less restrictive portion of such lot or parcel may apply to the other portion of the lot as provided in Section 3.5.5 and Section 6.3.~~

NEW BUSINESS

106 Manager (Police Department)
 ORDERED, That the City Manager is hereby authorized to direct the Chief of Police to enter into a Mutual Aid Agreement with area Law Enforcement Agencies for the purpose of requesting and providing temporary emergency aid to more effectively handle emergency situations.

107 Manager
 ORDERED, That the City of Augusta accept \$81,103.28 in Homeland Security Police funds for equipment as recommended by the Police Chief and City Manager.

NEW BUSINESS (Con't)

- 108 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt Liquor License be approved:
- Zhang's 888, Inc, d/b/a Great Wall Buffet, 1 Anthony Avenue, Augusta.
- 109 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 woman; and increases a non-smoker's risk for asthma, heart disease and lung cancer; and
- 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;

NEW BUSINESS (Con't)

109 Continued

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.

OTHER BUSINESS

Executive session to discuss:

- a personnel matter, 1 M.R.S.A., Sec 405(6)(A)
- a legal matter, 1 M.R.S.A., Sec 405(6)(E)

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk