

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

January 3, 2008

OATH OF OFFICE

Council Chambers - 7:00 p.m.

(City Council Members and School Board Members)

Agenda for the regular City Council meeting to be held Monday, January 7, 2008, Council Chambers, City Center.

There will be a pre-meeting of the City Council at 6:45 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PRESENTATION - Social Services Advisory Group Regarding Home Heating Assistance

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.

001 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held December 17, 2007 submitted by the City Clerk be approved.

002 Manager
ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$100.00.

003 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts for the month of December 2007 in the amount of \$4,208,186.14 be approved.

OLD BUSINESS AND TABLED MATTERS

HAS 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

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued
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.

202 Councilor Doore

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 73, Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by deleting all existing parking regulations on Arsenal Street.

That Chapter 18, section 73 Schedule of no parking, restricted parking areas, of the Revised Code of Ordinances 1990, as amended be further amended by adding the following:

Arsenal Street:

No parking on the west side the entire length.

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

- 202 Continued
 No parking on the east side from Cony Street to Spruce Street

 No parking on the east side from the intersection of East Chestnut Street, for sixty (60) feet.

 Parking on the east side starting at a point sixty (60) feet southerly of East Chestnut Street for a distance of one hundred fifty-two (152) feet restricted to handicapped parking only.

 Parking on the east side starting at a point two hundred twelve (212) feet southerly of East Chestnut Street southerly for a distance of one hundred forty (140) feet designated Patient Pickup and Discharge Only.

 No parking on the east side starting at a point three hundred fifty-two (352) feet southerly of East Chestnut Street southerly for the remaining distance.

- 250 Manager (Bureau of City Clerk)
 ORDERED, That the following application for a Special Amusement Permit be approved:

 Danny Switzer, 349 Water Street, Augusta.

HAS BEEN READ, FIRST READING

- 256 Manager (Bureau of Planning)
 WHEREAS, it has come to the attention of the Council that Mineral Extraction was included in the Table of Uses (Table 3.6.A.1) of the Land Use Ordinance passed by the City Council on September 17, 2007,

 NOW THEREFORE BE IT ORDAINED, that the City Council of Augusta hereby amends the Table of Uses (Table 3.6.A.1) of the Land Use Ordinance to remove "Mineral Extraction Activities and Associated Uses" as a use permitted in any way in the Planned Development (PD) district.

 The effective date of this Order shall be retroactive to December 1, 2007.

NEW BUSINESS

PART 1 - ORDERS

004 Councilor Byron
 ORDERED, That the City Manager is authorized to execute an amendment to the lease agreement between the City of Augusta and Augusta Boys and Girls Club establishing rent for the premises at the Buker Center for calendar year 2008 to be \$21,000.

005 Manager (Bureau of City Clerk)
 ORDERED, That the following applications for a Taxi Driver's and Taxi Operator's Licenses be approved:

Richard Jackson, Minuteman Taxi, 148 Corinth Rd., Hudson, Maine.

006 Mayor Katz
 WHEREAS, the City Council appointed a Comprehensive Plan Committee in the Spring of 2006, that worked with hundreds of residents, businesses, and professionals to complete an update to the 1988 Comprehensive Plan.

WHEREAS, the Comprehensive Plan Committee and the Planning Board held a public hearing on November 29, 2007, meeting the requirements of M.R.S.A. Title 30-A, Section 4324(8), and voted unanimously to forward the 2007 Comprehensive Plan to the City Council for adoption.

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta that the City of Augusta: 2007 Comprehensive Plan is hereby adopted, as forwarded to the City Council by the Planning Board and the Comprehensive Plan Committee on November 29, 2007, with the amendments outlined in the document titled "Amendments to the November 29, 2007, Comprehensive Plan Approved by the Comprehensive Plan Committee and the Planning Board", and dated January 3, 2008. This 2007 Comprehensive Plan repeals and replaces the 1988 Comprehensive Plan and associated documents.

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

007 Manager (Bureau of Code Enforcement)
 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 6. City Services, Article II. Code Enforcement,

NEW BUSINESS (Con't)

007 Continued
Division 2. Safe and Sanitary Housing Code, Section 6-54. Access, of the Revised Code of Ordinances 1990, as amended, be further amended as follows:

Every dwelling unit shall be usable and capable of being maintained without unauthorized use of other private properties and as in accordance with the BOCA National International Code Council's International Building Code, latest edition.

008 Manager (Department of Community Services)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Section 6.5-366. Planting Trees on Privately Owned Property, as attached, be added to Chapter 6.5 Community Services, Article VIII. Trees., of the Revised Code of Ordinances 1990, as amended.

OTHER BUSINESS

Executive session to discuss pending litigation; M.R.S.A., Title 1, Sec. 405(6)(E).

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk