

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

December 13, 2007

Agenda for the regular City Council meeting to be held Monday, December 17, 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.

PRESENTATION - Audit Report by Runyon, Kersteen, Ouellette

PUBLIC HEARING - Malt, Spirituous and Vinous Liquor License application for LAG Corporation, d/b/a 1-7-10 Bowling and Entertainment Center

PUBLIC HEARING - Malt, Spirituous and Vinous Liquor License application for RARE Hospitality Management, Inc., d/b/a LongHorn Steakhouse

PUBLIC HEARING - Malt, Spirituous and Vinous Liquor License application for Patrick Quigg, d/b/a Riverfront Barbeque & Grille

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.

246 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held December 6, 2007 submitted by the City Clerk be approved.

247 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts for the month of November 2007 in the amount of \$7,093,582.10 be approved.

248 Mayor Katz
ORDERED, That Delaine Nye be appointed to the Planning Board; said term to expire December 17, 2010.

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 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.

222 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

HAS BEEN READ AND TABLED (Con't)

- 222 Continued
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.

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.

NEW BUSINESS

PART 1 - ORDERS

- 249 Manager
ORDERED, That \$1000 is appropriated from the Council Contingency Account for start up support of the Augusta Charter Commission consistent with 30-A M.R.S.A., Section 2103(4).
- 250 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Special Amusement Permit be approved:
- Danny Switzer, 349 Water Street, Augusta.

NEW BUSINESS (Con't)

- 251 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt, Spirituous
and Vinous Liquor License be approved:

LAG Corp., d/b/a 1-7-10 Bowling and Entertainment Center, 2246
North Belfast Avenue
- 252 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt, Spirituous
and Vinous Liquor License be approved:

RARE Hospitality Management, Inc., d/b/a LongHorn Steakhouse,
12 Stephen King Drive
- 253 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt, Spirituous
and Vinous Liquor License be approved:

Patrick Quigg, d/b/a Riverfront Barbeque & Grille, 300 Water
Street
- 254 Manager
ORDERED, That the labor contract with the Teamsters Local 340,
Dispatchers (July 2007 - December 2008) be ratified consistent
with the agreement with the Union.
- 255 Councilor Gomeau
ORDERED, That the City Council approve the attached Augusta
Tree Board's Private Property Tree Planting Policy.

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

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk