

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

December 28, 2007

Minutes of the regular City Council meeting held Monday, December 17, 2007 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present except Mayor Katz and Councilor Doore; Councilor O'Brien presided.

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 were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

131 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

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued

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.

(NO MOTION TO REMOVE FROM TABLE)

202 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.

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

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

202 Continued
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.

(NO MOTION TO REMOVE FROM TABLE)

NEW BUSINESS

HAS BEEN READ AND TABLED

250 ORDERED, That the following application for a Special Amusement Permit be approved:

Danny Switzer, 349 Water Street, Augusta.

Yeas: 5; Byron, Gomeau, Rollins
Coffin, Koski

Nays: 0

HAS BEEN READ, FIRST READING

256 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.

(FIRST READING, NO VOTE REQUIRED)

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED

- 246 ORDERED, That minutes of the City Council meeting held December 6, 2007 submitted by the City Clerk be approved.
- Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski
- Nays: 0
- 247 ORDERED, That Roll of Accounts for the month of November 2007 in the amount of \$7,093,582.10 be approved.
- Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski
- Nays: 0
- 248 ORDERED, That Delaine Nye be appointed to the Planning Board; said term to expire December 17, 2010.
- Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski
- Nays: 0
- 249 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).
- Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski
- Nays: 0
- 251 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
- Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski
- Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

252 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

Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski

Nays: 0

253 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

Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski

Nays: 0

254 ORDERED, That the labor contract with the Teamsters Local 340, Dispatchers (July 2007 - December 2008) be ratified consistent with the agreement with the Union.

Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski

Nays: 0

255 ORDERED, That the City Council approve the attached Augusta Tree Board's Private Property Tree Planting Policy.

Yeas: 5; Byron, Gomeau, Rollins,
Coffin, Koski

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk