

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING
THURSDAY, FEBRUARY 18, 2010
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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: On 2010 Census

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA

OLD BUSINESS AND TABLED MATTERS

TABLED

115 City Manager
ORDERED, That the City Manager is authorized to expend an amount not to exceed \$5,000 to conduct a structural engineering analysis of the Colonial Theater.

156 Councilor Munson
WHEREAS, the Mineral Extraction Ordinance intended to protect the public health, safety, and general welfare, and to minimize the adverse impact of extraction to citizens of the city, abutting property owners, and wildlife and natural resources.

WHEREAS, two uses identified as accessory to a mineral extraction use have been found to have a significant impact on abutting property owners by virtue of additional traffic, additional noise, additional dust, and additional odor, unanticipated at the time the Mineral Extraction Ordinance was initially adopted.

WHEREAS, due to the lack of experience with these two accessory uses, the city and the public did not adequately scrutinize the uses during the initial licensing of mineral extraction sites.

WHEREAS, no permanent bituminous mix plants or ready mix concrete plants have yet been installed.

WHEREAS, sunsetting the one existing temporary bituminous mix plant and requiring further planning board review and authorization for it to restart seasonal operation as an accessory use in the spring of 2010 is not found to be an unreasonable financial burden to the owner of the mineral extraction site, since an accessory use is by its nature not the primary function of the site.

NOW THEREFORE BE IT ORDERED by the City Council of the City of Augusta hereby amends the Mineral Extraction Ordinance as follows:

OLD BUSINESS AND TABLED MATTERS (Con't)

TABLED (Con't)

- 156 Continued
Allowable associated mineral extraction uses. Associated mineral extraction uses include, but are not limited to, bituminous mix plants, crushing/screening operations, ready mix concrete plants, materials being recycled / reprocessed. Each of these associated uses must be expressly approved by the Planning Board to be considered allowable under a mineral extraction license. Ready mix concrete plants and bituminous mix plants shall be reviewed using the Site Plan Review Criteria Applicable to Conditional Uses, found in Section 6.3.4 of the Land Use Ordinance. Any existing temporary bituminous mix plants or ready mix concrete plants associated with a licensed mineral extraction site as an accessory use at the time of adoption shall be eliminated by May 1, 2010, unless they receive additional approval from the planning board for their operation as per this section.

SECOND READING

- 018 Councilor Byron
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 adding the following:

Hillcrest Street: No Parking on the west side from Western Avenue to Vickery Street

NEW BUSINESS

- 022 Manager (Bureau of City Clerk)
ORDERED, That the revised minutes of the City Council meeting held February 4, 2010 and minutes of the Special City Council meeting held February 12, 2010, submitted by the City Clerk be approved.

- 023 City Manager
WHEREAS, The Greater Augusta Utility District has a project known as the CS03 project that is required by the Maine Department of Environmental Protection to eliminate four combined sewer overflows from the existing sewer system into Bond Brook, and

WHEREAS, The project requires several permanent easements along the planned alignment of the new sewer pipe for construction and maintenance, and

WHEREAS, The project plans identify six parcels of land owned by the City of Augusta that will host this replacement pipe.

NEW BUSINESS (Con't)

023 Continued

NOW, THEREFORE, BE IT ORDERED, That the City Council authorizes the City Manager to execute the six “Negotiated-Valuation Offer Letter and Settlement Agreement” documents attached to this order.

BE IT FURTHER ORDERED, That the City Council authorizes the City Manager to execute six deeds for the permanent easements when they are prepared by the Greater Augusta Utility District.

024 Councilor Byron

ORDERED, That pursuant to Council Order No.152 defining the City’s policy regarding the plowing and sanding of private roads, the City hereby accepts public easements from the property owners of the following roads:

Buckwood Road

025 Councilors Coffin and Paradis

ORDERED, That pursuant to Council Order No.152 defining the City’s policy regarding the plowing and sanding of private roads, the City hereby accepts public easements upon condition that Corporation Counsel has reviewed and approved the submitted documentation, from the property owners of the following roads:

Stone Ridge Drive

026 Councilors Paradis and Stokes

WHEREAS, The City Council wishes to enter into a long-term cooperative relationship with Augusta Trails for the preservation of open space and the development of appropriate recreational opportunities at the City-owned property known as the Bond Brook Recreation Area, and

WHEREAS, Representatives of Augusta Trails and the City of Augusta have negotiated the terms of an agreement that has been subject to review and input by City staff, Corporation Counsel and the City Council, and

WHEREAS, City Council appreciates the efforts of Augusta Trails to promote high quality open space and recreational opportunities for residents of Augusta and the region,

NOW THEREFORE BE IT ORDERED, That the City Council does authorize the City Manager to execute an agreement between City of Augusta and Augusta Trails relating to development, maintenance, use, promotion, and support of the Bond Brook Recreation Area Trail System.

027 Councilor Paradis

WHEREAS, The Augusta City Council has received a presentation by the Conservation Commission and the Central Maine Commerce Center on a proposed donation of land situated behind the Central Maine Commerce Center business park, and

NEW BUSINESS (Con't)

027 Continued

WHEREAS, The City Council finds that the addition of said property a public open space in Augusta will add significantly to recreational opportunities and quality of life to the residents of the City and its environs, and

WHEREAS, The City Council takes notice that the Augusta Conservation Commission is in support of and recommends the acquisition of tax map parcels 1-99F and 1-252,

NOW, THEREFORE, BE IT ORDERED, That the City of Augusta does accept said donation of land from the Central Maine Commerce Center to the City of Augusta for open space consistent with the City Open Space and Master Plans.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
February 16, 2010