

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 22, 2007

Minutes of the regular City Council meeting held Tuesday, October 16, 2007 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Katz presided.

Proclamation - Childrens Center Day

Proclamation - White Cane Safety Day

Public Hearing - Consolidation of voting wards for 2008 School Consolidation and School Budget Elections (Order #201)

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

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

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued
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)

NEW BUSINESS

HAS BEEN READ, FIRST READING

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

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
Union Street	Columbia Street

(FIRST READING, NO VOTE REQUIRED)

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

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
State Street	Union Street

(FIRST READING, NO VOTE REQUIRED)

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

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

NEW BUSINESS (Con't)

HAS BEEN READ, FIRST READING (Con't)

208	Continued <u>Throughway</u> Winthrop Street	<u>Entering Street</u> Commercial Street
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(FIRST READING, NO VOTE REQUIRED)

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

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

<u>Throughway</u> Commercial Street	<u>Entering Street</u> Bridge Street (easterly)
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(FIRST READING, NO VOTE REQUIRED)

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

That chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

<u>Throughway</u> Winthrop Street	<u>Entering Street</u> Commercial Street
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(FIRST READING, NO VOTE REQUIRED)

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

That chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

<u>Throughway</u> Union Street	<u>Entering Street</u> Columbia Street
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(FIRST READING, NO VOTE REQUIRED)

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

- 212 BE IT ORDAINED, By the City Council of the City of Augusta that the following contract rezoning be approved:

The lots known as Assessor's Map 48, Lot 3 and 3B, shall be Contract Zoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be the Capitol Commerce (CC) district with the following restriction: 1) Use of the lots shall be One Family Dwelling; Home Occupation; Retail sales of pool tables, other table games, and accessories; and Public Recreational Areas, Facilities, and Parks.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED, AS AMENDED

- 202 ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$77,165.26 for Security Upgrades and USDA Wildlife Assessment, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$5,111.00 for Grant Application and Administration, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$4,834.00 for Airport Layout Plan, and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Department of Homeland Security grant funds in the amount of \$513,364.43 for Law Enforcement Officer Reimbursement (5 Year term), and

BE IT FURTHER ORDERED, That the City Council approve the acceptance of Maine Department of Transportation grant funds in the amount of \$55,000.00 to bring the Airport up to Department of Environmental Protection standards.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski

Nays: 0

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

- 195 ORDERED, That minutes of the City Council meeting held October 1, 2007 submitted by the City Clerk be approved.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski
- Nays: 0
- 196 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$1,000.00.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien
Rollins, Coffin, Koski
- Nays: 0
- 197 ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$2,815.00.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski
- Nays: 0
- 198 ORDERED, That Roll of Accounts for the month of September 2007 in the amount of \$5,529,282.56 be approved.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski
- Nays: 0
- 199 ORDERED, That Thomas R. Johnson be reappointed to the Augusta Parking District; said term to expire October 19, 2012.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski
- Nays: 0
- 200 ORDERED, That the City Council accept the donation of a Police Dog bullet proof vest valued in the amount of \$850.00 from the Maine Vest-a-Dog, for the Augusta Police Department K-9 program.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski
- Nays: 0

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

201 ORDERED, That following the public hearing for the purpose of consolidating the City's four (4) voting wards for any 2008 School Consolidation and/or School Budget Elections held on dates separate from Primary, General or Municipal Elections, that the ward boundaries for Wards 1, 2, 3 and 4 as described in Chapter 7, Section 1 of the Augusta Code of Ordinances be consolidated into one (1) ward, and

BE IT FURTHER ORDERED, That for voting purposes for any 2008 School Consolidation and/or School Budget Elections held on dates separate from Primary, General or Municipal Elections, the designated voting place shall be City Center, 16 Cony Street, Augusta.

BE IT FURTHER ORDERED, That the City Clerk file this order and required certificate as required by M.R.S.A, Title 21-A, Section 631.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski

Nays: 0

203 ORDERED, That the November 7, 2007 City Council meeting be moved to Thursday, November 8, 2007. The change is necessary due to a School Board Meeting scheduled for November 7, 2007.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski

Nays: 0

204 ORDERED, That the City Manager is authorized to execute a purchase and sale agreement between the City of Augusta and George Williams, III and Thomas Williams for approximately 100 acres of land known as the Great Sidney Bog parcel, City Assessor's Map 1, Lot 46, in the amount of \$15,000.

BE IT FURTHER ORDERED, That \$15,000 be appropriated from the City's Undesignated Fund Balance for said purchase, and

BE IT FURTHER ORDERED, That the City attorney shall review and approve as to form all necessary documents required for this transaction.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

205 ORDERED, That Christos Karagiannes of 813 Riverside Drive serve as Constable for Ward 4 replacing William Hanlon for the upcoming State of Maine Referendum and Municipal Election to be held November 6, 2007.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,
Rollins, Coffin, Koski

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk