

**MINUTES FOR THE SPECIAL CITY COUNCIL MEETING
FRIDAY, FEBRUARY 12, 2010
COUNCIL CHAMBERS, CITY CENTER
5:00 P.M.**

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

Public comments were held on item listed on the agenda.

NEW BUSINESS

HAS BEEN READ AND PASSED, AS AMENDED

021 WHEREAS, The City of Augusta is endeavoring to ensure compatibility of neighboring mineral extraction and residential uses; and

WHEREAS, The City Council finds that the existing Land Use Ordinance, Mineral Extraction Ordinance, and other regulations are inadequate to prevent serious public harm from the development of bituminous mix plants or ready mix concrete plants as associated mineral extraction uses; and

WHEREAS, The City Council has formed a council subcommittee to research, evaluate, and propose additional standards to enhance the compatibility of these uses with neighboring uses in proximity to neighboring uses; and

WHEREAS, An emergency exists affecting health, safety, and property, being the possibility that bituminous mix plants or ready mix concrete plants could be built without adequate Planning Board review and consideration of neighboring uses.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta, that no bituminous mix plant or ready mix concrete plant shall be reviewed or permitted by ~~any city agency or body as an Associated Mineral Extraction Use~~ City staff, the Planning Board or under any other authority pursuant to the Land Use Ordinance or as an associated use in the Mineral Extraction Ordinance.

Bituminous mix plants and ready mix concrete plants listed in ~~the approval letters~~ previously approved permits for licensed mineral extraction sites, where no specific information about the associated uses was provided to, or reviewed by, the Planning Board shall be subject to this Moratorium and prohibited from starting operation.

~~This moratorium applies to any applications that have not received substantive review by the Planning Board.~~

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED, AS AMENDED (Con't)

021 Continued

This moratorium retroactively applies to any applications currently pending or received by the City after January 28, 2010, including by not limited to applications which have not received substantive review by the Planning Board.

This moratorium shall be in effect for a period of 180 days, effective immediately as of the time of its enactment.

Motion to waive the second reading by: Paradis

Yeas: 7: Byron, Grant, Paradis, O'Brien,
Rollins, Munson, Stokes

Nays: 0

Motion to amend (replace with 2/12 document) by: Paradis

Yeas: 7: Byron, Grant, Paradis, O'Brien,
Rollins, Munson, Stokes

Nays: 0

Motion to amend (add, "This moratorium does not apply to any existing bituminous plants.") by: Stokes

Yeas: 3: Byron, O'Brien, Stokes
Nays: 4: Grant, Paradis, Rollins, Munson

Motion to amend (add, "newly" before "permitted" in para.5) by: Rollins
Withdrawn

Motion for passage, as amended, by: Rollins

Yeas: 7: Byron, Grant, Paradis, O'Brien,
Rollins, Munson, Stokes

Nays: 0

Meeting adjourned at 5:38 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
February 16, 2010