

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

January 20, 2006

Minutes of the regular City Council meeting held Tuesday, January 17, 2006 at 7:00 p.m., Council Chambers, City Center.

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

Public comments were held on items listed on the agenda

NEW BUSINESS

HAS BEEN READ AND TABLED

017 ORDERED, That the City Manager is authorized to enter into a license agreement with Rejean Blais for a limited use of City-owned property on Tibbetts Street.

Yeas: 6; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin

Nays: 2; Koski, Lund

HAS BEEN READ AND NOT PASSED

020 ORDERED, That the Augusta City Council obtain a second legal opinion on the merits and the likelihood of success in appealing the decision of Justice John A. Woodcock, Jr. regarding the constitutionality of the City of Augusta's Parade Ordinance, Chapter 13, Section 5 of the City's Code of Ordinances. The cost of obtaining a second opinion shall not exceed \$5000 and come from a lawyer well-versed in the First Amendment law.

Yeas: 4; Doore, Gomeau, Lerman, Koski  
Nays: 5; Byron, O'Brien, Coffin, Lund,  
Mayor Dowling

HAS BEEN READ AND PASSED, AS AMENDED

019 ORDERED, That the City Attorney is hereby authorized to proceed with an appeal to the First Circuit United States Court of Appeals of the recent United States District Court decision, Sullivan v. Augusta, cost not to exceed \$15,000.00.

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

019 Continued

BE IT FURTHER ORDERED, That the City Attorney and City Manager shall use their best efforts to secure the support of the Maine Municipal Association, National League of Cities and other interested parties in the pursuit of this appeal.

Yeas: 5; Byron, O'Brien, Coffin, Lund,  
Mayor Dowling

Nays: 4; Doore, Gomeau, Lerman, Koski

HAS BEEN READ AND PASSED

009 ORDERED, That minutes of the City Council meeting held January 3, 2006 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

010 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$168,012.11.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

011 ORDERED, That the City Council accept a donation of \$100.00 from the Hallie Simmons Family of 80 Edison Drive to purchase fire prevention materials.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

012 ORDERED, That Roll of Accounts for the month of December 2005 in the amount of \$6,342,103.27 be approved.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

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

013 ORDERED, That Paul R. Harris be reappointed to the Planning Board; said term to expire February 24, 2009.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

014 ORDERED, That Margaret W. Ayotte be reappointed to the Augusta Housing Authority; said term to expire February 27, 2011.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

015 ORDERED, That the following be reappointed/appointed to various City committees:

<u>Name</u> (Reappointment)	<u>Committee</u>	<u>Term Expires</u>
Gabriella Howard	Lithgow Library Board	February 7, 2009
(appointment)		
Cecil Munson	Cable Television Committee	January 17, 2009
(appointment - representing School Board)		
Darek M. Grant	Cable Television Committee	January 17, 2009

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

016 ORDERED, That the City Manager is authorized to solicit bids to contract for the placement of fiber optic conduit on Memorial Bridge and that the sum not to exceed \$35,000.00 is hereby appropriated from Fund Balance for this purpose.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

018 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:

Bangor Lane

Pullen Road

Please see attached for list of all property owners giving easements to the City.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

021 ORDERED, That Stan Koski be appointed to the Cable Television Committee; said term to expire January 17, 2007.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

022 ORDERED, That Donna Doore be appointed to the Cable Television Committee; said term to expire January 17, 2007.

Yeas: 7; Byron, Gomeau, O'Brien,  
Lerman, Coffin, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell  
City Clerk