

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

January 10, 2008

Administration of Oath of Office to City Council Members by Steven Rowe, Attorney General - Patrick E. Paradis, Cecil E. Munson, and William R. Stokes.

Administration of Oath of Office to School Board Members by Steven Rowe, Attorney General - Nathanael J. Rende, Willie M. Emerson, and Suzanne Allarie-Dowling.

Minutes of the regular City Council meeting held Monday, January 7, 2008 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Social Services Advisory Group Regarding Home Heating Assistance will be re-scheduled.

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.

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND TABLED (Con't)

131 Continued

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)

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED

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, southerly 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 for a distance of one hundred forty (140) feet designated two

OLD BUSINESS AND TABLED MATTERS (Con't)

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

202 Continued
(2) hour Patient Pickup and Discharge Only.

No parking on the east side starting at a point three hundred fifty-two (352) five hundred thirty-six (536) feet southerly of East Chestnut Street southerly for the remaining distance.

Parking shall be restricted to two (2) hours on the east side beginning at a point four hundred fifty-two (452) feet southerly of East Chestnut Street southerly for a distance of eighty-four (84) feet.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

256 WHEREAS, it has come to the attention of the Council that a substantive error relating to 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 corrects the inadvertent inclusion of mineral extraction in the Planned Development District by amending 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 Amended Ordinance shall be retroactive to December 1, 2007 September 17, 2007.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

HAS BEEN READ AND PASSED

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

Danny Switzer, 349 Water Street, Augusta.

Yeas: 6; Byron, Doore, Rollins, Coffin,
Munson, Stokes
Nays: 2; Paradis, O'Brien

NEW BUSINESSHAS BEEN READ AND TABLED

004 ORDERED, That the City Manager is authorized to execute an amendment to the lease agreement between the City of Augusta and Augusta Boys and Girls Club establishing rent for the premises at the Buker Center for calendar year 2008 to be \$21,000.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

HAS BEEN READ, FIRST READING

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

That Chapter 6. City Services, Article II. Code Enforcement, Division 2. Safe and Sanitary Housing Code, Section 6-54. Access, of the Revised Code of Ordinances 1990, as amended, be further amended as follows:

Every dwelling unit shall be usable and capable of being maintained without unauthorized use of other private properties and as in accordance with the BOCA National International Code Council's International Building Code, latest edition.

(FIRST READING, NO VOTE REQUIRED)

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

That Section 6.5-366. Planting Trees on Privately Owned Property, as attached, be added to Chapter 6.5 Community Services, Article VIII. Trees., of the Revised Code of Ordinances 1990, as amended.

(FIRST READING, NO VOTE REQUIRED)

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

001 ORDERED, That minutes of the City Council meeting held December 17, 2007 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

002 ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$100.00.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

003 ORDERED, That Roll of Accounts for the month of December 2007 in the amount of \$4,208,186.14 be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

005 ORDERED, That the following applications for a Taxi Driver's and Taxi Operator's Licenses be approved:

Richard Jackson, Minuteman Taxi, 148 Corinth Rd., Hudson, Maine.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

006 WHEREAS, the City Council appointed a Comprehensive Plan Committee in the Spring of 2006, that worked with hundreds of residents, businesses, and professionals to complete an update to the 1988 Comprehensive Plan.

WHEREAS, the Comprehensive Plan Committee and the Planning Board held a public hearing on November 29, 2007, meeting the requirements of M.R.S.A. Title 30-A, Section 4324(8), and voted unanimously to forward the 2007 Comprehensive Plan to the City Council for adoption.

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta that the City of Augusta: 2007 Comprehensive Plan is hereby adopted, as forwarded to the City Council by the Planning Board and the Comprehensive Plan Committee on

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

006 Continued
November 29, 2007, with the amendments outlined in the document titled "Amendments to the November 29, 2007, Comprehensive Plan Approved by the Comprehensive Plan Committee and the Planning Board", and dated January 3, 2008. This 2007 Comprehensive Plan repeals and replaces the 1988 Comprehensive Plan and associated documents.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

009 ORDERED, That the City Council enter into executive session to discuss pending litigation; M.R.S.A., Title 1, Sec. 405(6)(E).

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk