

(3) The City's Facilities Manager, in consultation with the responsible staff person for each facility where the grounds are located, will determine and designate a location for a smoking area for both the public and City personnel.

(4) Violators shall first be warned orally by the Police Department. Subsequent violations are subject to a minimum \$50 fine per occurrence.

(5) Tobacco use on all school grounds is prohibited by state law at all times.

(6) Tobacco use at City indoor facilities and outside exteriors within 20 ft. from entryways, windows, vents and doorways, and ~~not~~ in any location that allows smoke to circulate back into the building is prohibited by state law at all times.

~~(7) Tobacco use within 20 feet of designated school bus stops within the city limits is prohibited.~~

(7) Tobacco use within 20 feet from any child at designated school bus stops within the city limits is prohibited.

a.) The designated school bus stops are posted annually on the City of Augusta, Maine School Department web site.

b.) Excluded: The designated bus stops where the only children present come from the same family unit. (i.e. Rural areas where children are picked up at the end of their driveway.)

Motion to amend by: O'Brien Second by: Rollins

Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

Motion for passage, as amended, by: Emery Second by: Paradis

Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

OLD BUSINESS AND TABLED MATTERS (Con't)

READ AND PASSED, FINAL READING

12-180

WHEREAS, the Planning Board held a public hearing and voted unanimously to recommend modifying the existing zoning in the Resource Development district (RD), that exists on Mt. Vernon Ave; and

WHEREAS, the Planning Board recommendation expressed some potential concern about traffic on Mt. Vernon Ave related to some possible retail uses, and therefore recommended Retail as a Conditional Use; and

WHEREAS, the 2007 Comprehensive Plan recommends that Retail be allowed on Mt. Vernon Ave.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following text amendment be made to the Augusta Land Use Ordinance:

Amend Table 3.6.A.1, Land Uses in the Base Zoning Districts, to add “Retail” as a conditional use in the table in the Resource Development (RD) zoning district.

Motion for passage by: Paradis Second by: Rollins

Yeas: 8; Byron, Grant, Paradis, O’Brien
 Rollins, Bilodeau, Emery, Munson

Nays: 0

NEW BUSINESS

READ, FIRST READING

12-188

WHEREAS, the Planning Board held a public hearing and voted unanimously recommend modifying the existing zoning district boundaries and add a new use to the KBD2 district; and

WHEREAS, the Planning Board recommendation expressed some potential concern about traffic generated by an Auto Repair/Service (no auto sales) and therefore recommends the use be a conditional use requiring Planning Board review before a new use is established;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Augusta that the following map and text amendments be made to the Augusta Land Use Ordinance:

Amend the zoning district for Tax Map 33, Lots 71, 72, 73, 76, 77, and 97 to become Kennebec Business District 2 (KBD2); and

Amend Table 3.6.A.1, Land Uses in the Base Zoning Districts, to add “Auto Repair/Service” as a conditional use in the table in Kennebec Business District 2 (KBD2).

(FIRST READING, NO VOTE TAKEN)

NEW BUSINESS (Con’t)

READ AND PASSED, AS AMENDED

12-186

WHEREAS, the City of Augusta, Maine (the “Lessee”) is a political subdivision duly organized under the constitution and laws of the State of Maine; and

WHEREAS, it is hereby determined that a true and real need exists for the acquisition by the Lessee of energy savings equipment (the “Equipment”); and

Motion for passage, as amended, by: Byron Second by: Rollins
Yeas: 8; Byron, Grant, Paradis, O'Brien
Rollins, Bilodeau, Emery, Munson
Nays: 0

NEW BUSINESS (Con't)

READ AND PASSED

12-182

ORDERED, That the minutes of the City Council meeting held November 15, 2012, submitted by the City Clerk be approved.

dMotion for passage by: Rollins Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
Rollins, Bilodeau, Emery, Munson
Nays: 0

12-183

ORDERED, That the Roll of Accounts for the month of November, 2012 in the amount of \$8,424,804.26 be approved.

Motion for passage by: Rollins Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
Rollins, Bilodeau, Emery, Munson
Nays: 0

12-184

ORDERED, That Barbara E. Wardwell be reappointed as Registrar of Voters in accordance with Title 21-A, §101(2), to be effective January 1, 2013.

Motion for passage by: Rollins Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
Rollins, Bilodeau, Emery, Munson
Nays: 0

12-185

ORDERED, That the City Council accepts an anonymous donation of \$1,500.00 to be used for the City's Recreation Bureau Youth Basketball program.

Motion for passage by: Rollins Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
Rollins, Bilodeau, Emery, Munson
Nays: 0

12-187

ORDERED, That the City Council schedule of meetings for 2013 as required by Article II, Section 6 of the City Code of Ordinances, be set as follows:

- January 3 - Business Meeting to include swearing in of newly elected officials
- January 10 - Informational Meeting
- January 17 - Business Meeting
- January 24 - Informational Meeting

BE IT FURTHER ORDERED, That for the remaining of the year, the City Council Business Meetings will be held on the first and third Thursdays of each month. Informational Meetings will be called by the Mayor or City Manager the second and fourth Thursdays of the month on an as-needed basis. Business Meetings will be held at 7:00 p.m. and Informational Meetings will be held at 6:30 p.m.

BE IT FURTHER ORDERED, That the Mayor, City Council or the City Manager may amend or revise dates and times of meetings as is deemed necessary.

Motion for passage by: O'Brien Second by: Paradis
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

12-190

ORDERED, That the City Council authorize the City Manager to enter into a purchase and sale agreement for a parcel of real estate adjoining the Hatch Hill Landfill, owned by Keith Nelson, for the purchase price of \$23,100.00.

Motion to suspend the rules to add an order, by: Byron Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Motion for passage by: Byron Second by: Munson
Yeas: 8; Byron, Grant, Paradis, O'Brien
 Rollins, Bilodeau, Emery, Munson
Nays: 0

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
December 17, 2012