

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING
THURSDAY, JANUARY 21, 2010
COUNCIL CHAMBERS, CITY CENTER
7:30 P.M.**

There will be no pre-meeting.

PUBLIC HEARING: To Discuss a CDBG Application for the Bread of Life

PRESENTATION: Public Safety Radio Communications Update

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA

CONSENT AGENDA

All matters listed under this item will be considered routine and will be enacted by one motion. If a Councilor wishes to discuss one (or more) item(s), Councilor may ask to have the item(s) removed from the Consent Agenda and considered individually.

008 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meetings held January 7, 2010 and January 14, 2010 submitted by the City Clerk be approved.

009 Mayor Katz

ORDERED, That Cheryl Clukey be reappointed to the Parks and Recreation Advisory Board; said term to expire January 1, 2013.

010 Mayor Katz

ORDERED, That Joan Callahan be reappointed to the Lithgow Library Board of Trustees; said term to expire December 18, 2012.

011 Mayor Katz

ORDERED, That Tobias Parkhurst be appointed to the Parking District; said term to expire January 21, 2015.

OLD BUSINESS AND TABLED MATTERS

TABLED

115 City Manager

ORDERED, That the City Manager is authorized to expend an amount not to exceed \$5,000 to conduct a structural engineering analysis of the Colonial Theater.

OLD BUSINESS AND TABLED MATTERS (Con't)

TABLED (Con't)

156 Councilor Munson

WHEREAS, the Mineral Extraction Ordinance intended to protect the public health, safety, and general welfare, and to minimize the adverse impact of extraction to citizens of the city, abutting property owners, and wildlife and natural resources.

WHEREAS, two uses identified as accessory to a mineral extraction use have been found to have a significant impact on abutting property owners by virtue of additional traffic, additional noise, additional dust, and additional odor, unanticipated at the time the Mineral Extraction Ordinance was initially adopted.

WHEREAS, due to the lack of experience with these two accessory uses, the city and the public did not adequately scrutinize the uses during the initial licensing of mineral extraction sites.

WHEREAS, no permanent bituminous mix plants or ready mix concrete plants have yet been installed.

WHEREAS, sunsetting the one existing temporary bituminous mix plant and requiring further planning board review and authorization for it to restart seasonal operation as an accessory use in the spring of 2010 is not found to be an unreasonable financial burden to the owner of the mineral extraction site, since an accessory use is by its nature not the primary function of the site.

NOW THEREFORE BE IT ORDERED by the City Council of the City of Augusta hereby amends the Mineral Extraction Ordinance as follows:

Allowable associated mineral extraction uses. Associated mineral extraction uses include, but are not limited to, bituminous mix plants, crushing/screening operations, ready mix concrete plants, materials being recycled / reprocessed. Each of these associated uses must be expressly approved by the Planning Board to be considered allowable under a mineral extraction license. Ready mix concrete plants and bituminous mix plants shall be reviewed using the Site Plan Review Criteria Applicable to Conditional Uses, found in Section 6.3.4 of the Land Use Ordinance. Any existing temporary bituminous mix plants or ready mix concrete plants associated with a licensed mineral extraction site as an accessory use at the time of adoption shall be eliminated by May 1, 2010, unless they receive additional approval from the planning board for their operation as per this section.

NEW BUSINESS

012 Mayor and Council

WHEREAS, the City of Augusta, Maine wishes to apply to the Department of Economic and Community Development for a Community Development Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted an advertised public hearing; and

WHEREAS, the City of Augusta, Maine is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program.

NOW THEREFORE, BE IT RESOLVED, By the Council of the City of Augusta, Maine that the City Manager:

- 1) Is authorized and directed to submit an application for the following program and dollar amount within the State of Maine's CDBG program to the Department of Economic and Community Development on behalf of the City of Augusta, Maine, substantially in the form presented to this Council:

Program: Bread of Life's development of a day shelter for the homeless
Amount: \$350,000

- 2) Is authorized to make assurances on behalf of the City of Augusta, Maine required a part of such application, and

- 3) Is authorized and directed, upon acceptance of such funds to carry out the duties and responsibilities for implementing said program(s), consistent with the Charter of the City of Augusta, Maine and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

013 City Manager

ORDERED, That the labor contract with the Augusta Uniformed Firefighters Association Local No. 1650, (January 2010 – June 2010) unit be ratified consistent with the agreement with the Union.

014 City Manager

ORDERED, That the labor contract with the Augusta Uniformed Firefighters Association Battalion Chiefs Local No. 1650A, (January 2010 – June 2010) unit be ratified consistent with the agreement with the Union.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
January 19, 2010