

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

May 20, 2005

Minutes of the regular City Council meeting held Monday, May 16, 2005 at 7:00 p.m., Council Chambers, City Center.

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

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

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

That Chapter 18, section 38 Schedule of one-way streets, of the Revised Code of Ordinances 1990, as amended be further amended by adding:

Melville Street, between Green Street and Western Avenue, south only.

NO MOTION TO REMOVE FROM TABLE

HAS BEEN READ AND PASSED, FINAL READING

074 WHEREAS, sand, gravel and other minerals are deposited in significant amounts throughout the City of Augusta; and

WHEREAS, the extraction of minerals such as gravel, sand, rock, clay, etc., is an industrial activity with a significant potential to negatively impact the quality of life of nearby residents, due to added noise, dust, fumes, ground vibrations, and visual blight; and

WHEREAS, the City Council placed a moratorium on the expansion of existing mineral extraction operations so that the Planning Board would have time to study the regulation of mineral extraction in Augusta and report its findings and recommendations back to the Council; and

WHEREAS, the Augusta Planning Board, after holding multiple public hearings and workshops on the matter of regulating mineral extraction activities in Augusta, finds that it is

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING (Con't)

074 Continued

still appropriate to allow extraction of these minerals within the City of Augusta, but that the City currently lacks enough safeguards over the real and potential impacts of existing mineral extraction operations, particularly pits and operations that currently exist near residences or are expanding closer to residential neighborhoods; and

WHEREAS, the Planning Board, after significant public and industry input, has produced a Draft Mineral Extraction Ordinance that it holds will adequately deal with these existing and potential impacts;

THEREFORE BE IT ORDAINED, by the City Council of Augusta, that the attached Draft Mineral Extraction Ordinance recommended by the Planning Board is hereby adopted and shall be added as a new Division 3 of Chapter 6 (City Services), Article II (Code Enforcement) of the Revised Code of Ordinances, and shall be entitled "Mineral Extraction Ordinance", and shall begin as Section 6-69 thereunder. (see attached)

Yeas: 5; Gomeau, Lerman, Davis, Koski, Lund

Nays: 2; Sotir, Foster

NEW BUSINESSHAS BEEN READ AND PASSED

075 ORDERED, That minutes of the City Council meeting held May 2, 2005 submitted by the City Clerk be approved.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

076 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$900.00.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

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

077 ORDERED, That Roll of Accounts #10 for the month of April 2005 in the amount of \$6,358,338.01 be approved.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

078 ORDERED, That the Voter Registration hourly schedule for open session for the June 14, 2005 Special Municipal Election be as follows:

Thursday, June 9, 2005 from 1:00 p.m. to 6:00 p.m.

The intent of this order is to change the evening session time in accordance with M.R.S.A., Title 21-A, Section 122(8), as amended.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

079 ORDERED, That the City Council approve the following election officials as replacements during the June 14, 2005 Special Municipal Election:

Ward 1 / Constable: David Leibowitz, 4 Alton Road, for Clyde Leclair

Ward 2 / Ward Clerk: Lorraine Rita Noel, 11 Cedar Street, for Judith Wathen

Ward 3 / Ward Clerk: Georgette Valliere, 10 Evolution Drive, for Mary Robichaud

Ward 4 / Warden: Marcia J. Homstead, 9 Linwood Avenue, for Helen Paganucci

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

080 ORDERED, That the attached list of personal property taxes be abated due to assessment in error.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

081 ORDERED, That the 2002 personal property tax of \$327.61 due from Haskell Energies be charged off to bad debt.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

082 ORDERED, That the voting results of the Citizens' Initiative questions one and two of the Special Municipal Election for June 14, 2005 be adopted by the City Council of the City of Augusta as legally binding votes.

Yeas: 7; Sotir, Gomeau, Foster,
Lerman, Davis, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk