

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

November 2, 2007

Agenda for the regular City Council meeting to be held Thursday, November 8, 2007 at 7:00 p.m., Council Chambers, City Center.

There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PUBLIC HEARING - Malt, Spirituous and Vinous Liquor License application for Applebee's Restaurants North, LLC

PUBLIC HEARING - Malt, Spirituous and Vinous Liquor License application for Augusta Community Hospitality, LLC and Drew Dynamics, Inc.

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.

- 213 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held October 16, 2007 submitted by the City Clerk be approved.
- 214 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts for the month of October 2007 in the amount of \$6,666,664.79 be approved.
- 215 Mayor Katz
ORDERED, That Susanne C. Page be appointed to the Augusta Housing Authority to fill a vacancy; said term to expire December 5, 2010.
- 216 Mayor Katz
ORDERED, That Terrence F. McCabe, Sr. be appointed to the Fort Western Board of Trustees; said term to expire October, 2008.
- 217 Manager
ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$1,480.00.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

131 Mayor Katz and Councilor Gomeau

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.

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.

HAS BEEN READ, FIRST READING

206 Manager (Police Department)

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

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ, FIRST READING (Con't)

206 Continued
further amended by deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
Union Street	Columbia Street

207 Manager (Police Department)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
State Street	Union Street

208 Manager (Police Department)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting the following:

<u>Throughway</u>	<u>Entering Street</u>
Winthrop Street	Commercial Street

209 Manager (Police Department)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 36 Schedule of yield right-of-way signs, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

<u>Throughway</u>	<u>Entering Street</u>
Commercial Street	Bridge Street (easterly)

210 Manager (Police Department)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ, FIRST READING (Con't)

210 Continued
amended, be further amended by adding the following:

<u>Throughway</u>	<u>Entering Street</u>
Winthrop Street	Commercial Street

211 Manager (Police Department)
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That chapter 18, section 34 Schedule of stop signs, flashing red lights, of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following:

<u>Throughway</u>	<u>Entering Street</u>
Union Street	Columbia Street

212 Councilor O'Brien
BE IT ORDAINED, By the City Council of the City of Augusta that the following contract rezoning be approved:

The lots known as Assessor's Map 48, Lot 3 and 3B, shall be Contract Zoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be the Capitol Commerce (CC) district with the following restriction: 1)Use of the lots shall be One Family Dwelling; Home Occupation; Retail sales of pool tables, other table games, and accessories; and Public Recreational Areas, Facilities, and Parks.

NEW BUSINESS

PART 1 - ORDERS

218 Manager (Bureau of City Clerk)
ORDERED, That the tabulation results for the Municipal / Referendum Election held November 6, 2007 submitted by the City Clerk, be and hereby certified.

219 Councilor Gomeau
ORDERED, That the Daniel Cony Manley conference table in possession of the City of Augusta be donated to the Kennebec Historical Society. Delivery of the table to be at a time mutually agreed upon.

NEW BUSINESS (Con't)

220 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt, Spirituous and Vinous Liquor License be approved:

Applebee's Restaurants North, LLC, d/b/a Applebee's Neighborhood Grill & Bar, 114 Western Avenue

221 Manager (Bureau of City Clerk)
ORDERED, That the following application for a Malt, Spirituous and Vinous Liquor License be approved:

Augusta Community Hospitality, LLC and Drew Dynamics, Inc, Community Drive

PART 2 - ORDINANCE BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

222 Councilor Doore
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, 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

NEW BUSINESS (Con't)

222 Continued
for a distance of one hundred forty (140) feet designated
Patient Pickup and Discharge Only.

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

OTHER BUSINESS

Executive session to discuss a personnel matter; 1 M.R.S.A.,
Section 405(6)(A).

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
City Clerk