

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 4, 2007

Minutes of the regular City Council meeting held Monday, October 1, 2007 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Recognition of Augusta Babe Ruth League - 2007 Maine State and New England Regional Champions (13 - 15 year old division)

Presentation - Augusta Parking District

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.

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.

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued  
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)

NEW BUSINESS

HAS BEEN READ AND PASSED, AS AMENDED

191 ORDERED, That the City of Augusta does hereby authorize the conveyance of two certain parcels of land (Map 1, Lots 99F and 252) from Central Maine Commerce Center and does further authorize the conveyance of conservation easements on said property to the Kennebec Land Trust. Conveyance subject to review by Corporation Counsel.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

HAS BEEN READ AND PASSED

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

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

186 ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$550.00.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

187 ORDERED, That the following individuals be appointed / reappointed to the Fort Western Board of Trustees:

Justice Daniel E. Wathen	new appointment	expires Oct., 2010
Darek M. Grant	reappointment	expires Oct., 2010
Arlene M. Prescott	reappointment	expires Oct., 2010

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

- 187 Continued
- |                         |                 |                    |
|-------------------------|-----------------|--------------------|
| Daniel G. Stevens       | reappointment   | expires Oct., 2010 |
| Derek Gannett           | reappointment   | expires Oct., 2010 |
| Dr. Thomas A. Desjardin | new appointment | expires Oct., 2009 |
| Deborah Fahy            | new appointment | expires Oct., 2008 |
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski
- Nays: 0
- 188 ORDERED, That Stephen Roberge be appointed to the Augusta Water District Board of Trustees; said term to expire July 31, 2010.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski
- Nays: 0
- 189 ORDERED, That the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated Sections 5824(3) & 5826(6) to the transfer of (\$876.00), U.S. Currency, One Jennings .22 cal. Handgun, serial #73475; One Ithica 12 gauge shot gun; and One JC Higgins .22 cal. Rifle, Defendant(s) in Rem, or any portion thereof, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of this criminal case, namely, State of Maine v. Darren Q. Smith, Kennebec County Superior Court, Docket No. CR-07-529.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski
- Nays: 0
- 190 ORDERED, That the City Manager is authorized to submit grant funding applications for the development of trail facilities along Bond Brook as recommended by the Director of Community Services and Augusta Conservation Commission.
- Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski
- Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

192 ORDERED, That the City Manager is authorized to submit a grant application in the amount of \$350,000 to the U.S. Environmental Protection Agency to conduct necessary studies for the Augusta Tissue Mills property.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

193 ORDERED, That Hannaford Brothers Corporation is hereby authorized to enter upon the premises referenced in the existing Purchase and Sale Agreement between the City of Augusta and Cony LLC and to remove and dispose of at its sole expense for charitable purposes the existing contents to the exclusion of any items identified by the City Manager as a result of deliberations by the City Council.

BE IT FURTHER ORDERED, That Hannaford Brothers Corporation is authorized to enter upon and remove from said premises any asbestos or other building components at its sole expense.

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

194 ORDERED, That the City Council enter into Executive Session to discuss land acquisition; 1 M.R.S.A., Section 405 (6)(C).

Yeas: 7; Byron, Doore, Gomeau, O'Brien,  
Rollins, Coffin, Koski

Nays: 0

Respectfully submitted,

Barbara E. Wardwell  
City Clerk