CITY OF AUGUSTA
MINUTES FOR THE CITY COUNCIL BUSINESS MEETING
COUNCIL CHAMBERS CITY HALL
THURSDAY, SEPTEMBER 5, 2019
7:00 P.M.

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

Present: Councilors Conti, Judkins, Lind, O’Brien and Mayor Rollins
Absent: Councilor Alexander

PRESENTATION: Recognition of Service to Former Council Member Corey Wilson

PRESENTATION: Introduction and Welcome of Peter Bezemes, Executive Director of the Colonial Theater

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA:

CONSENT AGENDA:

19-130   City Manager (Bureau of City Clerk)
BE IT ORDERED, that the minutes of the City Council Special Business Meeting held August 22, 2019, submitted by Assistant City Manager Ralph St. Pierre be approved.

19-131   City Manager (Bureau of Audit)
BE IT ORDERED, that the Roll of Accounts for the month of August 2019 in the amount of $5,694,932.04 is hereby approved.

19-132   Mayor Rollins
BE IT ORDERED, that Gerald Bumford is hereby reappointed to the Historic Preservation Commission, said term to expire September 5, 2022.

19-133   City Manager
BE IT ORDERED, that the City Manager is hereby authorized to accept a Project Canopy Grant from the Maine Forest Service in the amount of Seven Thousand, Seven Hundred and Thirty Five Dollars ($7,735.00) for planting trees on Water Street and other areas needing tree stock.

BE IT FURTHER ORDERED, that the requisite match of 50% will be met with funds appropriated in the FY 2019 Capital Improvement Plan, Tree Stock and Landscape, as well as in-kind staff labor.

Motion for passage of the Consent Agenda orders 19-130 to 19-133.
By: O’Brien        Second by: Lind
Yea:s: 4
Nay:s: 0

NEW BUSINESS
PART 1 – ORDERS AND RESOLVES

19-134   City Manager
BE IT ORDERED, that the City Manager is hereby authorized to enter into an agreement between the City of Augusta and the Fraternal Order of Police, Lodge #003, for the Police Officers of the Augusta Police Department for a three year term beginning July 1, 2019 and ending June 30, 2022.

Motion for passage of order 19-134
By: Lind Second by: O’Brien
Yea: 4
Nays: 0

19-135 City Manager
BE IT ORDERED, that the City Manager is hereby authorized to enter into an agreement between the City of Augusta and the Fraternal Order of Police, Lodge #003, for the Police Supervisory Officers of the Augusta Police Department for a three year term beginning July 1, 2019 and ending June 30, 2022.

Motion for passage of order 19-135
By: Lind Second by: Judkins
Yea: 4
Nays: 0

19-136 Councilors Alexander, Lind and O’Brien
BE IT ORDERED, that the City Manager is hereby authorized to sell to Kevin Dostie, a .25 (+/-) portion of City owned land at Anthony Avenue for $4,500.

BE IT FURTHER ORDERED, that the buyer shall be responsible for all transactional costs.

Motion for passage of order 19-136
By: Lind Second by: O’Brien
Yea: 4
Nays: 0

19-137 City Manager
BE IT ORDERED, that the City Manager is authorized to accept an offer of $99,900 from Thomas Bustos and Leanna Harley - Bustos for tax-acquired property at 11 Boulder Avenue (Map 11 Lot 45D).

BE IT FURTHER ORDERED, that said proceeds shall be credited to the demolition of unsafe buildings account.

Motion for passage of order 19-137
By: Lind Second by: Judkins
Yea: 4
Nays: 0

19-138 City Manager
WHEREAS, the City Council has consistently pledged its support for the renovation and restoration of the Colonial Theater on Water Street in Augusta; and

WHEREAS, the City of Augusta applied for and was awarded a Certified Local Government grant from the Maine Historic Preservation Commission in the amount of $24,995 to renovate the facade of the building; and
WHEREAS, Colonial Theater, Inc. has raised and appropriated the necessary matching requirement of $16,663.33 in eligible non-federal matching contributions and is prepared to abide by the rules established under the program guidelines.

NOW THEREFORE, BE IT ORDERED, that the City Manager is hereby authorized to sign a contract with the Maine Historic Preservation Commission accepting said grant award of $24,995.

Motion for passage of order 19-138
By: Lind Second by: Judkins
Yeas: 4
Nays: 0

(Taken Out of Order)

19-141 Councilor Conti
WHEREAS, the City Council of the City of Augusta enacted a Moratorium Ordinance Regarding the Winthrop Street District (“the Moratorium”) on June 27, 2019; and,

WHEREAS, the purposes and need for the Moratorium, as outlined in the Moratorium, continue to exist; and,

WHEREAS, the Planning Board is currently studying the Code of Ordinances to determine whether various non-residential uses shall continue to be permitted in the Winthrop Street BP District, and if so, what review processes or regulations are appropriate, and plans to make recommendations to the Council within sixty (60) days.

NOW, THEREFORE, be it ordered by the City Council of the City of Augusta, that the Moratorium be, and hereby is, extended for sixty (60) days from the date of enactment of this Extension.

Motion to suspend further reading of order 19-141
By: O’Brien Second by: Lind
Yeas: 4
Nays: 0

Motion to amend ordinance and change to order 19-141 by replacing the word ‘ordained’ with ‘order’ in the last paragraph and also by deleting the ‘Emergency Declaration’ language in its entirety.
By: Conti Second by: Lind
Yeas: 4
Nays: 0

Motion for passage of order 19-141 as amended.
By: Conti Second by: Lind
Yeas: 4
Nays: 0

NEW BUSINESS PART 2 – ORDINANCES - FIRST READING NO VOTE REQUIRED

19-139 Mayor and Council
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:
That Article III Stopping, Standing and Parking: Part 2 Towing; violation impoundment section 270-42
Schedule of Towing, Storage and Publication Fees. Of the Revised Code of Ordinances 1990, as amended,
be further amended by deleting and adding the following language:

Motion to suspend further reading of 19-139
By: O’Brien  Second by: Lind
Yeas: 4
Nays: 0

§ 270-42 Schedule of towing, storage and publication fees.
[Amended 10-17-2005 by Ord. No. 165]
A. The schedule of charges for service calls, towing or removing vehicles and notices of such action as required
by this Part 2 shall not exceed the schedule of charges which shall be set from time to time and a schedule of
such charges shall include service calls day or night, tow fee day or night, motor vehicle accident tow day or
night, use of which and mileage from accident scene to vehicle destination.

B. Tow operators accepting City referrals under this Part 2 shall agree to charge reasonable fees that will not
exceed the following per vehicle:

(1) Service calls: described as providing gas, jump start, vehicle lockout, etc.
   (a) 8:00 a.m. to 8:00 p.m.: $50.
   (b) 8:00 p.m. to 8:00 a.m.: $60.

(2) Tow: described as any time a vehicle needs to be towed which has become disabled, parked in violation
    of City ordinance or a police action has required the vehicle to be towed:
    (a) 8:00 a.m. to 8:00 p.m.: $65 75.
    (b) 8:00 p.m. to 8:00 a.m.: $75 85.

(3) Motor vehicle accidents: described as any time a vehicle is towed from the scene of an accident involving
    a vehicle; tow service required to move all debris and fluids within reason.
    (a) 8:00 a.m. to 8:00 p.m.: $90 100.
    (b) 8:00 p.m. to 8:00 a.m.: $100 110.

(4) Use of winch: described as having to winch a vehicle out of a ditch and back onto the roadway or other
    location, or turning over an overturned vehicle. Use of winch is not to be charged when a vehicle is winched
    onto a flatbed of a tow truck: $75 per hour, to be computed in half-hour increments beyond the first hour, with
    the full first-hour charge due for any portion thereof.

(5) Mileage from accident scene: described as traveling the distance from the scene of an accident to the
    location where the vehicle will be off-loaded from the tow truck:
    (a) From the accident scene to the offload destination: minimum charge of $3 per mile.
    (b) If less than a mile: $3.

(6) Storage: location of where towed vehicle was brought awaiting retrieval by owner or other responsible
    party: $25 35 per day, or any portion thereof, after the first 24 hours of vehicle being towed to storage lot.

19-140  Mayor and Council
BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Article III, section 207-4 Parade Permits, Of the Revised Code of Ordinances 1990, as amended, be further amended by adding the following language underlined in paragraph C. below:

C. As a precondition to issuance of a permit, the applicant must meet with or provide information by any other means to the Police Chief or his designee, so that the applicant and the City may attempt to agree on the details of the route and other logistics. It is a requirement that all organizations seeking city approval to conduct a parade or special event involving roadway use create a safety plan that includes, at a minimum, the following elements: safe route selection, acquisition of all required permits, and hazard mitigation.

Motion to Suspend Rules to add an Executive Session to the Agenda
By: Lind Second by: O’Brien
Yeas: 4
Nays: 0

19-142 City Manager
Executive Session: Pending Litigation and a Real Estate Matter 1 M.R.S., §405(6)(D)C&E
Motion to go into Executive Session at 8:05 p.m.
By: Conti Second by: Lind
Yeas: 4
Nays: 0

Motion to Adjourn:
By: Lind Second by: Judkins
Yeas: 4
Nays: 0

Meeting Adjourned at 9:00 p.m.

Respectfully Submitted,
Loretta Lathe, Executive Assistant
September 6, 2019