

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

October 21, 2005

Minutes of the regular City Council meeting held Monday, October 17, 2005 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Recognition of Scott Longfellow of Longfellows Greenhouses in Manchester for donations to the City of Augusta Flower Gardens

Public Hearing - Malt, Spirituous, Vinous Liquor License application for Thomas Pilsbury, Stanley York and Kenneth Rideout, Jr., d/b/a Delia's, Inc., 349 Water Street (Order #172)

Public comments were held on items listed on the agenda

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

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

That Chapter 18, section 18-98 Schedule of towing, storage, publication fees, of the Revised Code of Ordinances 1990, as amended be further amended by deleting the current language and replacing the language as follows:

The schedule of charges for service calls, towing or removing vehicles and notices of such action as required by this division shall not exceed the schedule of charges which shall be set from time to time and a schedule of charges shall include service calls day or night, tow fee day or night, motor vehicle accident tow day or night, use of winch and mileage from accident scene to vehicle destination.

Tow operators accepting city referrals under this ordinance shall agree to charge reasonable fees that will not exceed the following per vehicle:

a) Service calls: A service call would be described as providing gas, jump start, vehicle lockout, etc.

\$50.00 - 8:00 a.m. to 8:00 p.m.

\$60.00 - 8:00 p.m. to 8:00 a.m.

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

165 Continued

b) Tow: Described as anytime 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.

\$65.00 - 8:00 a.m. to 8:00 p.m.

\$75.00 - 8:00 p.m. to 8:00 a.m.

c) Motor vehicle accident: Described as anytime a vehicle is towed from the scene of an accident involving a vehicle. Tow service required to remove all debris and fluids within reason.

\$90.00 - 8:00 a.m. to 8:00 p.m.

\$100.00 - 8:00 p.m. to 8:00 a.m.

d) 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 the flatbed of a tow truck.

\$75.00 per hour to be computed in one-half hour increments beyond the first hour, with the full first hour charge due for any portion thereof.

e) 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.

\$3.00 per mile from the accident scene to the offload destination. Minimum charge of \$3.00 if less than a mile.

f) Storage: Location of where towed vehicle was brought awaiting retrieval by owner or other responsible party.

\$25.00 per day, or any portion thereof after the first twenty-four hours of vehicle being towed to storage lot.

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

Nays: 0

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

That Chapter 18, section 18-100 Responsibility of party towing, storing, of the Revised Code of Ordinances 1990, as amended be further amended by adding the following: and fluids (after the word debris, in the second sentence of paragraph one, and before the word within).

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

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

Nays: 0

NEW BUSINESSHAS BEEN READ AND PASSED, AS AMENDED

174 ORDERED, That an ad-hoc committee entitled the "Comprehensive Plan Update Process Committee" be created for the sole purpose of specifying the process to be used by the City's designated Planning Committee to update Augusta's existing comprehensive plan(s); as follows:

The Comprehensive Plan Update Process Committee (the committee) shall consist of 9 voting members: three members from Augusta City Council; three members from Augusta's Planning Board; one member from the Neighborhood Council; one member from the Conservation Commission; and three members one member from the Augusta Development Commission. Said members shall be designated by the Mayor for the Council, and by the chairs of the Development Commission and Planning Board. The committee shall hold its first meeting no later than November 1, 2005; shall elect its own chairperson; shall hold a minimum of two advertised public hearings to gather input from stakeholders in the forthcoming process; and shall develop in writing a process for the City's designated Planning Committee to follow in updating the comprehensive plan. The committee shall conclude its deliberations by December 5, 2005, and shall deliver its written process to the City Council and to the designated Planning Committee by December 13, 2005; and shall thereafter be dissolved.

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

Nays: 0

HAS BEEN READ AND PASSED

167 ORDERED, That minutes of the City Council meeting held October 3, 2005 submitted by the City Clerk be approved.

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

Nays: 0

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

168 ORDERED, That Roll of Accounts for the month of September 2005 in the amount of \$8,211,132.14 be approved.

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

Nays: 0

169 ORDERED, That Debra Rollins be appointed to the Conservation Commission; said term to expire October 18, 2008.

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

Nays: 0

170 ORDERED, That the following candidates nominated by the Trustees of Old Fort Western be appointed to the Fort's Board of Trustees:

Frank O'Hara, of Hallowell, to a second three-year term, term to expire October 2008.

Thomas F. Doore, of Augusta, to a second three-year term, term to expire October 2008.

Mark A. Rohman, of Augusta, to an initial three-year term, term to expire October 2008.

Dorcas Riley, of Mt. Vernon, to an initial three-year term, term to expire October 2008.

Kenneth I. Bryant, of East Winthrop, to an initial three-year term, term to expire October 2008.

Derek Gannett, of Readfield, to an initial two-year term, term to expire October 2007.

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

170 Continued

Jeremy Cameron, of Augusta, to an initial one-year term, term to expire October 2006.

With these appointments the majority (10 of 15) members of the Board will be residents of Augusta as required by City Ordinance and the Board will be at full strength.

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

Nays: 0

171 ORDERED, That Barbara E. Wardwell be appointed Registrar of Voters in accordance with Title 21-A, Section 101(2), to be effective October 18, 2005.

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

Nays: 0

172 ORDERED, That the following application for a Malt, Spirituous, Vinous Liquor License be approved:

Thomas Pilsbury, Stanley York and Kenneth Rideout, Jr., d/b/a Delia's, Inc., 349 Water Street.

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

Nays: 0

173 ORDERED, That \$50,000.00 be hereby appropriated to fund the local share of repairing the Bond Brook retaining wall. Said appropriation to be funded by transferring \$26,697.20 from the Vacant Building / Land Acquisition 1998 Capital Improvement Account and appropriating \$23,302.80 from the City's Undesignated Fund Balance.

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

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

175 ORDERED, That the City Council enter into Executive Session to discuss: labor negotiations, 1 M.R.S.A., Sec. 405(6)(D)

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

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk