

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING
THURSDAY, MAY 7, 2009
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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.

PRESENTATION – Two Historic Preservation House Plaques to Patti Violette

PRESENTATION – United Way Day of Caring by Rob Gordon

PRESENTATION – Update from Sukey Sikora on Graffiti Clean Up

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.

052 Manager (Bureau of City Clerk)
 ORDERED, That the minutes of the City Council meeting held April 16, 2009 submitted by the City Clerk be approved.

053 Manager
 ORDERED, That the City Council accept a donation of \$35.00 from the Robert and Jo Patnaude family of Augusta Maine to purchase fire prevention materials.

054 Manager (Bureau of Audit Accounts)
 ORDERED, That Roll of Accounts for the month of April 2009 in the amount of \$5,089,754.24 be approved.

055 Mayor Katz
 ORDERED, That Margaret O'Connor be reappointed to the Tree Board; said term to expire April 3, 2012.

056 Mayor Katz
 ORDERED, That the following committee members be reappointed:

<u>Name</u>	<u>Committee</u>	<u>Expiration Date</u>
Suzanne Finn	Lithgow Library Board	May 15, 2012
Maurice Fortin	Assessment Review Board	May 5, 2012

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

- 017 Councilor O'Brien
WHEREAS, the City Council finds that the five criteria for approving an area rezoning, found in section 1.6.1.A.vii have been satisfied.

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta that the Augusta Land Use Ordinance be amended as follows:

The parcels shown as the "area of change" on the attached map entitled Proposed Zoning and dated December 30, 2008, shall be rezoned to Planned Development (PD). Parcels included are Tax Assessor's Map 48, Lots 3, 3-A, 3-B, 4, 5, 5-B, 6, 7, 8, 8-A, 8-B, 9, 10, 11, 12, 12-A, and the segment of railroad property that starts at Riggs Brook and runs south to Route 3.

- 021 Manager (Bureau of Planning)
WHEREAS, the City Council finds that the Planning Board held the required public hearing on a proposed amendment to the City's comprehensive plan.

NOW THEREFORE BE IT ORDERED, By the City Council of the City of Augusta that the 2007 Comprehensive Plan for the City of Augusta be amended as follows:

Volume 1, pages 33 and 34 of the City of Augusta 2007 Comprehensive Plan, which are maps entitled Future Land Use and Future Land Use Detail, shall be amended to include the area north of Rt. 3, west of Riverside Drive, south of Riggs Brook, and east of the Kennebec River as the same shade of brown, indicating mixed use development, as the area directly to the north of the modified area.

NEW BUSINESS

PART 1 – ORDERS

- 057 Councilor Stokes
ORDERED, That the City Council authorize the City Manager to renew the Cable Television Franchise agreement between City of Augusta and Time Warner NY Cable LCC as reviewed, negotiated and recommended by the City's Cable Television and Telecommunications Committee in consultation with Corporation Counsel.

- 058 Councilor Stokes
ORDERED, That the City Council adopt the General Assistance maximum levels in accordance with Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. ss4305 (4).

NEW BUSINESS (Con't)

- 059 Manager (Bureau of City Clerk)
ORDERED, That the Voter Registration hourly schedule for open session for the June 9, 2009 School Budget Validation Referendum be as follows:

Thursday, June 4, 2009 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.

- 060 Manager
ORDERED, That the City Manager is authorized to enter into negotiations with the Somerset County Communications Center for Public Safety Answering Point, E-911 (PSAP) services for the City of Augusta. The City Manager is further authorized to enter into an agreement with the Somerset County Communications Center to provide PSAP services for the City of Augusta if he finds that it is in the best interest of the City of Augusta.

The City Manager is further authorized to contact the Maine Public Utilities Commission requesting Commission approval to contract with Somerset County to provide PSAP service for the City of Augusta rather than the PSAP designated for Kennebec County, the Central Maine Regional Communication Center.

PART 2 – ORDER AND ORDINANCE BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

- 061 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:

Throughway
Fairview Avenue

Entering Street
Penley Street

- 062 Manager
BE IT RESOLVED, That there is hereby appropriated for the support of the departments of the City of Augusta, for payment of County Taxes, for the bonded indebtedness of the City, and for all the other debts incurred by the City for the fiscal year beginning July 1, 2009, and ending June 30, 2010, the sum of \$49,976,967 of which a summary appears below.

BE IT FURTHER RESOLVED, That the amount to be raised from current real and personal taxes considering estimated departmental revenues, fund balance, and other sources of \$25,844,280 to be set at \$24,132,687.

NEW BUSINESS (Con't)

062 Continued

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$26,005,012 for the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act and that the City of Augusta raise \$9,683,520 as the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Explanation: The City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the municipality must raise in order to receive the full amount of state dollars.

BE IT FURTHER RESOLVED, That the City of Augusta raise and appropriate \$305,656 for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade twelve.

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction and minor capital renovations that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters of the City as follows:

- New Cony High School – approved by the voters on December 2, 2003.

BE IT FURTHER RESOLVED, That the City of Augusta raise and appropriate \$87,178 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$562,438 as required to fund the budget recommended by the School Board.

Explanation: The additional local funds are those locally raised funds over and above the City's local contribution to the total cost of funding public education from pre-kindergarten through grade twelve as described in the Essential Programs and Services Funding Act and local amounts raised for the annual debt service payment on previously approved non-state-funded school construction projects and the non-state-funded portion of minor capital school construction projects that will help achieve the City's budget for educational programs. The appropriate exceeds the Essential Program and Services model in the following areas: special education, extra and co-curricular activities, transportation, pension obligations debt, central administration, and contingency.

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$584,010 and raise \$382,299 for Adult Education.

NEW BUSINESS (Con't)

062 Continued

BE IT FURTHER RESOLVED, That the City of Augusta authorize the Augusta Board of Education to expend \$26,981,856 for the fiscal year beginning July 1, 2009 and ending June 30, 2010 from the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools.

**PRELIMINARY
BUDGET**

LEGISLATIVE AND EXECUTIVE

MAYOR AND COUNCIL	\$36,876
CITY MANAGER	\$239,930
CORPORATION COUNSEL	\$117,180
CENTRAL SERVICES	\$10,755
UNCLASSIFIED	\$167,610
COUNCIL CONTINGENCY	\$20,000
MANAGER CONTINGENCY	\$10,000
TOTAL LEGISLATIVE AND EXECUTIVE	\$602,351

FINANCE AND ADMINISTRATION

CITY CLERK, TREASURER, TAX COLLECTOR	\$480,435
REGISTRATION AND ELECTIONS	\$25,764
CITY AUDITOR	\$146,832
INFORMATION SYSTEMS	\$375,934
ASSESSOR	\$203,680
FINANCE AND ADMINISTRATION	\$113,326
HUMAN RESOURCES	\$230,322
TOTAL FINANCE AND ADMINISTRATION	\$1,576,293

CITY SERVICES

ECONOMIC DEVELOPMENT	\$237,321
PLANNING	\$163,529
HISTORICAL PRESERVATION	\$5,825
CODE ENFORCEMENT	\$147,260
CITY SERVICES ADMINISTRATION	\$63,857
ENGINEER	\$172,523

NEW BUSINESS (Con't)

062	Continued	
	CITY BUILDINGS	\$492,608
	BUKER SCHOOL	\$159,264
	CONY/FLATIRON	\$49,985
	TOTAL CITY SERVICES	<u>\$1,492,172</u>
	COMMUNITY SERVICES	
	CONSERVATION COMMISSION	\$0
	COMMUNITY SERVICES ADMINISTRATION	\$149,453
	PUBLIC LIBRARY	\$572,963
	RECREATION	\$170,678
	PARKS AND CEMETERIES	\$734,042
	FORT WESTERN	\$128,524
	BICENTENNIAL NATURE PARK	\$0
	HEALTH AND WELFARE	\$134,133
	GENERAL ASSISTANCE	\$75,300
	TOTAL COMMUNITY SERVICES	<u>\$1,965,093</u>
	PUBLIC SAFETY	
	POLICE	\$3,936,807
	FIRE	\$3,381,007
	CIVIL EMERGENCY PREPAREDNESS	\$11,665
	TOTAL PUBLIC SAFETY	<u>\$7,329,479</u>
	PUBLIC WORKS	
	PUBLIC WORKS ADMINISTRATION	\$115,075
	HIGHWAY	\$1,330,344
	SNOW REMOVAL	\$1,015,857
	WASTE REMOVAL	\$610,303
	TOTAL PUBLIC WORKS	<u>\$3,071,579</u>
	TOTAL UTILITIES	\$2,125,432
	TOTAL RETIREMENT AND INSURANCE	\$2,284,186
	TOTAL SERIAL BONDS AND NOTES	\$1,098,246
	TOTAL RESERVE AND CASH C.I.P.	\$7,500
	TOTAL COUNTY TAX	\$1,442,780

NEW BUSINESS (Con't)

062 Continued

DEPARTMENT OF EDUCATION

REGULAR INSTRUCTION	\$8,824,530
SPECIAL EDUCATION	\$3,855,474
CAREER AND TECHNICAL EDUCATION	\$2,679,693
OTHER INSTRUCTION	\$668,073
STUDENT AND STAFF SUPPORT	\$2,310,048
SYSTEM ADMINISTRATION	\$643,651
SCHOOL ADMINISTRATION	\$1,401,396
TRANSPORTATION	\$990,615
FACILITIES MANAGEMENT	\$2,354,799
DEBT SERVICE	\$2,458,875
ALL OTHER EXPENDITURES	\$210,692
ADULT EDUCATION	\$584,010
TOTAL DEPARTMENT OF EDUCATION	\$26,981,856

TOTAL APPROPRIATIONS	\$49,976,967
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COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
May 4, 2009