

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

February 22, 2002

Minutes of the regular City Council meeting held Tuesday, February 19, 2002 at 7:00 p.m., Council Chambers, City Center.

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

A public hearing was held on a Malt, Spirituous & Vinous Liquor License (Order #180)

Public comments were held on items listed on the agenda.

NEW BUSINESS

WITHDRAWN

178 ORDERED, That Mary Sheridan-Jones be appointed to the Planning Board; said term to expire March 15, 2005.

HAS BEEN READ AND NOT PASSED

183 WHEREAS, Article VI, Section 6, of the Augusta City Charter outlines and preserves the power and duties of the City Manager as outlined below:

1. to see that the laws and ordinances are enforced;
2. to exercise control over all departments and divisions created herein, or that may hereafter be created;
3. to make appointments and removals as provided in this Charter;
4. to prepare and submit the annual budget and capital program to the Council;
5. to attend meetings of the Council and recommend for adoption such measures as he or she may deem expedient;
6. to keep the Council fully advised as to the business, financial condition and future needs of the City;
7. to report annually with the submission of the proposed budget, the quality, cost and method of delivery of services to the inhabitants of the City of Augusta and recommendations for change which he or she may deem appropriate;

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

183 Continued

8. to perform such other duties as may be prescribed by this Charter or required by ordinance of the Council.

WHEREAS, the City Council, as the governing body, has power and oversight over the work and job performance of the City Manager per Article II, Section 4, of the Augusta City Charter,

NOW THEREFORE BE IT ORDERED, That two (2) job performance evaluations be assigned to take place in the spring and in the fall of each fiscal year as designated by the governing body.

The purpose of this order is to enhance a better understanding between the local legislative body and city administration and to establish the City's ability to cope with an ever-changing environment both on an external and internal basis dealing with the administration of all fiscal, prudential and municipal affairs.

Yeas: 1; Mayo-Wescott

Nays: 8; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Koski, Lund

HAS BEEN READ, FIRST READING

184 BE IT ORDAINED, By the City Council of the City of Augusta, Maine, that section 1.6.1 of the Augusta Land Use Ordinance, dealing with the process for amending the Land Use Ordinance, be further amended to include notification requirements for City initiated "area rezonings", as follows: (see attached).
(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

174 ORDERED, That minutes of the City Council meetings held January 16 and 22, 2002 submitted by the City Clerk be approved.

Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund

Nays: 0

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

- 175 ORDERED, That Roll of Accounts #7 for the month of January 2002 in the amount of \$4,559,327.80 (warrants 135 through 152 inclusive) be approved.
- Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund
- Nays: 0
- 176 ORDERED, That the report regarding the City's financial position through January 2002 be presented and accepted upon presentation.
- Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund
- Nays: 0
- 177 ORDERED, That Diane Hastings be appointed to the Augusta Sanitary District Board of Commissioners; said term to expire February 19, 2005.
- Yeas: 8; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Koski, Lund
- Nays: 1; Mayo-Wescott
- 179 ORDERED, That Genie Gannett Quist be appointed to the Fort Western Board of Trustees; said term to expire October 2004.
- Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund
- Nays: 0
- 180 ORDERED, That the following application for Malt, Spirituous & Vinous Liquor License be approved:
- Applebee's Northeast, Inc., d/b/a Applebee's Neighborhood Grill and Bar, 114 Western Avenue, Augusta
- Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund
- Nays: 0

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

181 ORDERED, That \$150,000 be and is hereby appropriated from the Fund Balance; \$50,000 to be allocated for capital improvements to the Bicentennial Nature Park; and \$100,000 to be allocated for road maintenance and paving.

Yeas: 9; Dowling, Sotir, Doore, Veilleux, Foster,
O'Brien, Mayo-Wescott, Koski, Lund

Nays: 0

182 BE IT ORDERED, By the City Council of the City of Augusta, Maine as follows:

1. The Assistant City Manager for Finance and Administration, on behalf of the City of Augusta, is authorized to acquire a fire apparatus (the "Equipment") from "E-ONE" Emergency One, Inc., (the "Vendor") and may pay the Vendor an amount not to exceed \$203,000 for the Equipment;

2. The City of Augusta reasonably expects to incur debt to reimburse expenditures (including expenditures made within the last sixty (60) days) temporarily advanced from funds currently held in the Undesignated Fund Balance of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the Equipment;

3. The City of Augusta reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$150,000;

4. The Assistant City Manager for Finance and Administration, on behalf of the City of Augusta, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$150,000, (b) such agreement will bear interest at a rate per annum not to exceed six (6%) percent, (c) the term of such agreement will not exceed 60 months and (d) any financial obligation of the City of Augusta pursuant to such agreement is subject to annual appropriation by the City Council of the City of Augusta;

5. The Assistant City Manager for Finance and Administration is authorized to advance money from the Undesignated Fund Balance of the City for payment of the costs of the Equipment; and

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

182 Continued

6. The Assistant City Manager for Finance and Administration, on behalf of the City of Augusta, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which are deemed necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by the Mayor of the City of Augusta. Without limiting the foregoing, the Assistant City Manager for Finance and Administration, on behalf of the City of Augusta, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment which is no longer useful to the City of Augusta.

This order shall take effect immediately.

Yeas: 7; Dowling, Sotir, Veilleux, Foster,
O'Brien, Koski, Lund
Nays: 2; Doore, Mayo-Wescott

Respectfully submitted,

Cheryl A. Frith
City Clerk