

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
THURSDAY, JANUARY 8, 2009
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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

Administration of Oath of Office to School Board Chair and Members by Janet Mills, Attorney General – William D. Burney, Jr., Deborah B. Towle and Susan B. Campbell.

Administration of Oath of Office to City Council Members by Janet Mills, Attorney General – Edward S. Coffin, Michael G. Byron and Mark S. O'Brien.

Public Hearing – Capital Improvement Bond Issue \$500,000 (Order #005)

Public comments were held on items listed on the agenda.

NEW BUSINESS

HAS BEEN READ AND PASSED

001 ORDERED, That minutes of the City Council meeting held December 15, 2008 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

002 ORDERED, That Roll of Accounts for the month of December 2008 in the amount of \$4,445,823.99 be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

003 ORDERED, That the City Council accept a donation of \$50.00 from Hallie Simmons of Augusta, Maine to purchase fire prevention materials.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

004 ORDERED, That David H. Crockett be appointed to the Fort Western Board of Trustees to fill a vacancy; said term to expire October, 2011.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

005 BE IT ORDERED, That (1) Borrowing of a sum not to exceed \$500,000 be and hereby is authorized for the purpose of paying costs of capital expenditures for the construction, reconstruction, renovation and improvement of streets, buildings and other public facilities in and of the City of Augusta (the "City") and for the purchase of an animal control vehicle to constitute the following:

Description of Improvements	Est. Period of Utility	Amount
(A) Reconstruction of Capital Area Technical Center track and improvement of related facilities	19	\$160,000
(B) Improvement of City streets, sidewalks and related facilities throughout the City	12	133,000
(C) Purchase of Animal Control Vehicle	12	27,000
(D) Repair and Improvement of municipal facilities throughout the City and purchase of traffic control signals.	12	180,000
Total		<hr/> \$500,000

The estimated period of utility of each of the foregoing improvements is hereby declared to be in excess of the number of years in the column entitled "Est. Period of Utility" following the respective description of the improvement in the table above.

(2) To carry out the aforesaid borrowing authorization, the City Manager of the City or this designee, including without limitation the Assistant City Manager for Finance and Administration (any of whom is referred to herein as an Authorized Representative), is hereby authorized and directed under and pursuant to Section 8 of Article VII of the City Charter and other enabling authority to prepare, issue and sell, at one time or from time to time, as one or more separate issues, general obligation bonds of the City in an aggregate principal amount not to exceed \$500,000. The date or dates, denominations, interest rate or rates and all other particulars as to form, issue and sale of each issue of the bonds shall be determined by an Authorized Representative, provided that each of the bonds shall be

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

005 Continued

signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, shall bear the City seal or an authorized facsimile thereof, and shall mature or be payable in annual installments, the first installment to be payable on or before December 31 of the year after the year in which the bonds are issued, and the last installment with respect to an amount authorized for an improvement to be payable not later than (a) ten (10) years after the date for payment of the first installment if the estimated period of utility of the improvement is declared to be in excess of twelve (12) years or (b) seventeen (17) years after the date for payment of the first installment if the estimated period of utility of the improvement is declared to be in excess of nineteen (19) years. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the principal amount of each by the City Charter and other applicable law for such component and by the order authorizing such component. The bonds may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the bonds. An Authorized Representative is authorized to sign such agreements, instruments and certificates as are required in connection with the issuance of the bonds.

(3) An amount sufficient for the payment of the annual installments of principal of and interest on the bonds or any notes shall be included in the tax levy for each year during which any of such bonds or notes shall be outstanding until the debt represented by the bonds or notes is extinguished.

(4) An Authorized Representative be and hereby is authorized to borrow at one time or from time to time in anticipation of the bonds to be issued as herein authorized, when and as funds may be required, a sum or sums not exceeding the aggregate principal amount of the bonds as herein authorized, and to prepare, issue and sell at public or private sale, the temporary note or notes of the City therefor and to renew the same as deemed advisable, provided that any such temporary note or renewal note shall be paid within the maximum term permitted by law therefor.

An Authorized Representative is hereby authorized and directed, subject to the provisions of this Order and applicable provisions of law, to sign and determine the date or dates of the note or notes (including renewal notes), the interest rate or rates they shall bear and all other details of things necessary and proper to effectuate the issue and sale thereof, provided that each note shall be signed by an Authorized Representative the City seal or an authorized facsimile thereof. An Authorized Representative is authorized to sign such other agreements, instruments or certificates as are required in connection with the issuance of the notes.

(5) For purposes of U.S. Treasury Regulation §1.150-2, the City reasonably expects (1) to incur debt to reimburse expenditures (including expenditures made within the last sixty (60) days temporarily advanced from funds of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the foregoing construction, reconstruction, renovation and improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing construction, reconstruction, renovation and

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

005 Continued

improvement including for reimbursement purposes is \$500,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

006 ORDERED, That the City Council enter into an executive session to discuss a personnel matter; 1 M.R.S.A., §405(6)(A).

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk
January 12, 2009